



Town of Port Hedland

MINUTES
OF THE
ORDINARY MEETING
OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

WEDNESDAY 22 JULY 2009

AT 5.35 PM

IN COUNCIL CHAMBERS
McGREGOR STREET, PORT HEDLAND

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*Matthew Scott
Acting Chief Executive Officer*

OUR COMMITMENT

To enhance social, environmental and economic well-being through leadership and working in partnership with the Community.

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ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

3.1 Questions from Public at Ordinary Council Meeting held
Wednesday 24 June 2009

3.1.1 Mr Kevin Broughton

Did the Town consider using Airport land to accommodate local industrial businesses prior to the Town deciding to lease 13 hectares of the land for a 1200 man camp to accommodate transient workers?

No.

What message does the Council consider a decision of this kind sends to the local business community, that is, the Town will provide for transient residential uses on constrained land that would otherwise be used for industrial uses? And this, at a time when there is no industrial land available in the Town.

Council made its decision, regarding the 1200 man camp, in the interests of the entire community. There was opportunity for community comment regarding this decision or a possible alternative use when the initial business plan was publicly advertised.

It is noted that the Town has initiated legal action against numerous businesses in the Town which are deemed to be in contravention of the Scheme; did the Town consider where such businesses would move to given the absence of industrial land, or that those locally owned businesses may be forced to close their doors as a result of being required to move on?

Yes.

Is the Council aware that some of the businesses have considered preparing management plans with the Town, which would describe how their activities would relocate on a staged basis until appropriately zoned land is made available? Such a management plan would be legally binding and would act as a proactive mechanism to provide a reasonable timeframe for business activities to be relocated; was the Council aware that Town officers have not supported the intent of the only management plan submitted to date?

Yes, but is unable to comment on the second question as it has yet to be presented with a finalised management plan.

Is the Council aware that to accommodate an earthmoving business (for example) would required approximately 1.5-2 hectares of land?

The area of land required would depend of the needs of the individual business.

Is the Council aware that only one parcel of land of this size is presently being offered for sale within the Town? Was the Council aware of the price of the land is in excess of \$3M? Was the Council aware that lending institutions are reluctant to provide funding for such land given that the value of the land is deemed to be unsustainable?

The availability or price of land in the district is not controlled by Council, and is subject to market forces, which effects all businesses. Council also doesn't control the practices of lending institutions, which would generally be based on standard commercial terms, depending on the business concerned.

Does The Council take some responsibility for the position these businesses find themselves in insofar as the businesses have been told to cease activities over a 10 year period without the Town actually initialising legal action? Is the Council aware that the absence of action over 10 years has set a tone that these businesses have interpreted to mean that they continue to operate without legal penalty? Is the Council aware that taking decisive action in an unrealistic commercial timeframe when it has done nothing in the past 10 years has contributed to the position these businesses find themselves in?

Council has never stated or implied that it is prepared to tolerate illegal activity. Any business that operates outside the requirements of the Town Planning Scheme, does so at its own risk of possible prosecution.

Did the Council consider holding a workshop or some other proactive mechanism with all of the affected businesses to work through a meaningful solution to this problem given that there is no industrial land for the businesses to move to?

No, as a breach of the Town Planning Scheme is a separate matter between the Council and that party or business.

Are the Councillors aware that I have been refused the opportunity to speak to the Councillors, and understand the reasons why, in any forum to discuss one of the legal cases being heard at present? This being the case, who do ratepayers or their representative speak to about such issues when the Elected Members are inaccessible?

There has been ample opportunity to discuss the matter with Council or Councillors prior to the matter being put before the Court. Once a matter is before the Courts, it is up to the magistrate to decide whether an offence has occurred, and if so, the subsequent penalty.

Given that so many businesses are operating in the South Hedland Rural Zone to the point where it has become a quasi-business area, would the Town consider a rezoning of the land to a composite zone where businesses can operate on rural lots where the owner of the business lives on the land? Such as composite zone has been used to good effect in the Shire of Kalamunda and Cities of Gosnells and Mandurah?

Currently there is no direction from Council to consider such a rezoning. There is however an opportunity for this to be considered as part of the development of Town Planning Scheme 6.

Is the Council aware that the only industrial land to be released by LandCorp is unlikely to be released until September 2010 and more likely 2011?

LandCorp is currently advising the public, through their website, that the next stage of industrial land release will be late 2009.

3.1.2 Ms Kylie Bateman

Can you tell me when new industrial blocks will be opened up; and why are the Council pursuing long-term residents of Port Hedland for operating in non-conforming manner, when there are no reasonable blocks available for their use? It appears that the larger companies can get land whenever required, e.g. 4,000 [1,200] man camp at the airport; why isn't it the same for small businesses?

LandCorp are responsible for the release of these lots and have indicated that it could be approx 12 – 18 months before transport lots are available on the market.

It is not appropriate to comment on Council's actions in relation to any matter before the court. In general term however Council only initiates legal action when all other options have been exhausted and the person concerned has shown themselves to be unwilling to cooperate with Council in a reasonable manner to achieve compliance with the legislation that council is bound to uphold.

3.2 Questions from Elected Members at Ordinary Council Meeting held Wednesday 24 June 2009

3.2.1 Councillor Grant Bussell

If our legal advice doesn't suggest that this is intolerable that we speak with the public in an informal way, once we receive this management plan with comment from the public, could we then discuss it at the next informal meeting?

The matter was discussed at both a confidential briefing of Council and its legal representatives, and at the July Briefing session.

3.2.2 Councillor Kelly Howlett

In regards to National Tree Planting Day, are we any closer to having a Council site or area designated for the day, being the last Sunday in July?

There is an area around the water tank, in the West End Greening Project, which could be available for this event. The Town is currently talking to schools to see if they are also interested in participating in the event.

3.1 Questions from Public at Special Council Meeting held Monday 29 June 2009

Nil.

3.2 Questions from Elected Members at Special Council Meeting held Monday 29 June 2009

Nil.

ITEM 4 PUBLIC TIME

4.1 Public Questions

5:36 pm Mayor opened Public Question Time.

4.1.1 Mr Brent Rudler

What is the current status on the Mirvac Hotel and land release in Port Hedland? Is there a time line for them to develop/construct the hotel and land release?

Acting Chief Executive Officer advised the progress of the Mirvac Hotel and adjoining land release is being delayed while the dust issue is being sorted. In relation to a time line for Mirvac to develop the site, Acting Chief Executive Officer advised he is unsure if a sunset clause is included. He advised Mr Rudler's second question will be taken on notice.

What is the current status on the land release in Pretty Pool that was awarded to the Satterley Group? Does this development have a timeframe for them to develop?

Acting Chief Executive Officer advised that Satterleys are due to commence geotechnical testing on the site. In relation to Mr Rudler's second question, he advised this will be taken on notice.

4.1.2 Mrs Arminie MacPherson

[NOTE: Mrs Arminie MacPherson advised since seeing the Minutes of Council's Ordinary Meeting held in May, she would withdraw her question.]

In relation to the answers to questions taken on notice at Council's Ordinary Meeting held in June, why are the questions raised by Ms Christine Mayberry and Ms Kylie Bateman at Council's Ordinary Meeting held in June not included in tonight's Agenda?

Acting Chief Executive Officer explained that when questions are raised at a Council Meeting and are also answered at that meeting, both the question raised and answer provided are included in the Minutes of that particular meeting. When questions are raised at a Council Meeting and they are not answered at that meeting, i.e. they are taken on notice, both the question raised and an answer is provided in the Agenda of the next Ordinary Council Meeting.

5:40 pm Mayor closed Public Question Time.

4.2 Public Statements

5:40pm Mayor opened Public Statement Time.

4.2.1 Mr Chris Whalley

Mr Whalley made a statement in relation to the commencement of Virgin Blue flights for the residents of Port Hedland; and the clean up works being carried out along the main road.

4.2.2 *Mr Frank Weir and Janette – on behalf of Port and South Bowling Clubs*

Mr Weir reported on the success of, and support and sponsorship provided by Council for the recent Bowling Carnival.

5:44 pm Mayor closed Public Statement Time.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

5.1 *Councillor Arthur Gear*

In relation to the dust issue with the West End, has Council ever received any information from the Department of Health relating to health issues in the port?

Mayor advised that Council did hear a partial report, which was given by SKM to an Informal Briefing for Council. He added as far as he is aware, there is no official report that has been provided to Council.

Acting Chief Executive Officer added the purpose of the Premier's Dust Management Task Force is to provide a report to the Minister. Council has officer representation on that committee.

In relation to public access to Paradise Creek, the Chief Executive Officer mention that there has been the appointment of a new manager at Dampier Salt/Rio Tinto since the Town's staff previously raised the matter with the company; has anything changed in relation to access to Paradise Creek?

Acting Chief Executive Officer advised that the Deputy Mayor and he met with Dampier Salt's Manager a few weeks ago. Dampier Salt is required to provide public access through the lease, however that access is via the Speedway area, at the back of the intakes. Dampier Salt also has an arrangement with the local indigenous community, to provide access sites within the lease area which are deemed traditional sites for those communities. The matter will be raised again with Dampier Salt.

He added If there is a particular request in regards to a particular spot, Council will need to ask Dampier Salt to see if they are prepared to allow that access. There is there is limited public access through Dampier Salt's lease in place.

In relation to the road works currently underway along the Highway [Wedgefield to Broome turnoff], can some of the hours be changed for when they are working, as they are currently working when the main traffic period is; can they work throughout the night when the traffic is a bit quieter?

Acting Chief Executive Officer advised the matter can be raised with MainRoads, to see if there is any possibility to change their working schedule to minimise interference with normal traffic.

5.2 Councillor Jan Gillingham

What is the updated status of the plan and native nursery that is supposed to be happening?

Acting Director Engineering Services advised the nursery at the Depot is full of plants at the moment for projects that Council is undertaking. Following the planting of those trees in stock, there will be sufficient room in the nursery for the Town's own production of native trees and plants.

5.3 Councillor Grant Bussell

Is Council responsible for the area [in the vicinity of Traine and Mauger Crescent) yet that has been developed by the Department of Housing, and where the eucalyptus trees that have been planted have had the tree guards vandalised? Is there a plan in place for maintaining this area?

Acting Director Engineering Services advised that the Town has just undertaken an inspection of the area, as a result of issues raised earlier this year when the Town experience a heavy rain event. In relation to the landscaping, the contract is still effective with the company that was contracted to undertake those works. The Town will be responsible for the works when that contract finishes.

5.4 Councillor Kelly Howlett

In regards to the Finucane Island boat ramp, has the Town been able to install the signage there?

Acting Director Engineering Services confirmed yes, the signage has been installed.

When is the Town scheduling or considering for further works to be undertaken at the Finucane Island boat ramp?

Acting Director Engineering Services advised the further works will be are scheduled to be undertaken in September to take advantage of the low tides available at that time.

Can this information be available to members of the public as there is a lot of public enquires relating to when these works will occur?

Acting Chief Executive Officer confirmed yes.

How is the Yanderra bus trial going?

Director Regulatory and Community advised that the vehicle [Community Bus] has been to Yanderra for a test drive which was successful. There were pre existing booking for the community bus when the Yandeyarra bus service trial was considered by Council, so full-term arrangements have been unable to be made for those users of the service yet. It is scheduled for the service to commence during the third week of August, and the Town will be scheduling appropriate promotion information for that.

There's a feral cat issue at the Port Hedland Bowling Club; are we able to arrange some cat traps and have Ranger Services action the matter in an aim to reduce the numbers?

Acting Chief Executive Officer advised the information will be forwarded to Ranger Services for advice/action in relation to the matter.

In regards to an email I sent through relating to noise issues from residents due to construction work at Pretty Pool starting at 6am, has the Town spoken to anyone?; is there any change the Town can resolve those issues?

Acting Chief Executive Officer advised that the Town's Ranger Services have spoken to a number of construction companies working at Pretty Pool, and a number of cautions have been issued. It is anticipated that this will resolve the problem, preventing the escalating need for fines to be issued.

Can this advice be passed on to the resident?

Acting Chief Executive Officer confirmed yes,

Mayor added that it is expected that Pilbara Constructions will be finished working at Pretty Pool by the 1st September.

Acting Chief Executive Officer clarified that Pilbara Constructions have planning approval through to mid September, but are expected to finish works about the first or second week of August. This should help alleviate some of the problems.

Can Councillors be copied into responses to residents who have requested something, so that Councillors know that a response has been given?

Acting Chief Executive Officer confirmed yes.

In regards to the improper disposal of oil behind O&W Machinery, what is happening in relation to this matter? Has that incident been reported as a contaminated site?

Director Regulatory and Community Services advised that the Town's Environmental Health Services have followed up on the matter, and understands the incident has been reported to the Department of Environment who is the agency responsible for contaminated sites.

Can Council get the Town's Environmental Health Services to also have a look at some oil disposable issues around the West Track facilities, and around Bell Street?

Director Regulatory and Community Services requested Councillor Howlett to provide the details to him to enable the Town to follow the matter up.

Has Council asked for the DEC [Department for Environment and Conservation] to come to Port Hedland, given there is a number of environmental incidents and or breeches occurring?

Acting Chief Executive Officer advised the Town has written to invite the Department for Environment and Conservation on a number of occasions to locate an officer in Port Hedland; the Town has also communicated the matter verbally when staff meets with the Department's officers.

At the recent breakfast with the Hon. Ben Wyatt, MLA and Hon. Tom Stephens, MLA, at which Ben was quite excited about Mirvac's hotel development in the Town, as Mirvac is also doing some development work in his Electorate of Victoria Park; can the Town write to the Hon. Ben Wyatt, MLA and advise him that nothing is happening here and things are stalled?

Mayor confirmed yes. He advised the message was also conveyed to the Hon. Ben Wyatt, MLA during his visit to the Town. He added that as LandCorp awarded the contract for the Mirvac Hotel Development, the Town has expressed its concerns to LandCorp at the length of time Mirvac is taking to develop the site, with the suggestion of use it – or lose it. This message was also conveyed to the Hon. Ben Wyatt, MLA.

Acting Chief Executive Officer added that he has been involved in email communications with the Hon. Ben Wyatt, MLA, and he is happy to raise the matter with him the next time he emails him.

In relation to Sam Speedo not been seen in locations along Hamilton Road, Anderson Street or at Pretty Pool yet; what is the process for where the Town locates the sign?

Director Engineering Services advised that there are issues with being unable to locate the sign in the vicinity of primary schools, as the sign can be a distraction to driver. The manual for using the speed trailer was misplaced, and a new copy sourced. During that time, the sign has not been utilised as the locations not permissible for Sam Speedo use are included in the operating manual for the device. In the event the Town locates the sign in an incorrect location and it causes an accident, the Town would be liable. Following clarification of correct distance from schools, the sign will be scheduled for use again.

For the Town of Port Hedland maps to include the new streets of Pretty Pool and South Hedland for the next edition of the Information Directory, has the Town notified the appropriate agency that those new streets need to be included?

Acting Chief Executive Officer advised that the Town's Rates Officers have conveyed the matter with Landgate, who is the responsible agency for updating the Town's mapping information. The Town also relies on the information from Landgate in regards to rating information.

Can the Town write the Hedland SES [State Emergency Service], as it is actually their 50th Birthday in Western Australia this year, perhaps the Town can offer to host a function or something similar, such as hosting the Cyclone Awareness Information Sessions held at the start of Cyclone season this year?

Mayor confirmed yes.

At the last Council Meeting I requested a letter be sent to LandCorp and the Minister for Lands, in regards to the dire needs for the release of industrial land; and inviting them to visit Port Hedland to brief the community on the situation with land releases; have these letters been sent?

Acting Chief Executive Officer advised that LandCorp has been contacted; and the matter has been raised on a number of occasions in the last month with representative from LandCorp who have visited the Town.

He added he would need to clarify if the actual letters requested have been sent, and will ensure they are sent.

Is the draft Land Rationalisation Plan Report available now?

Acting Chief Executive Officer advised the draft Public Land Rationalisation Plan Report will be included on the running sheet for Council's next Informal Briefing Session.

Can it be clarified in regards to the land site of the current hospital, and hospital staffing land site that is being spoken about on the ABC news recently; what is happening with that land, is [the State Government] actually selling that site?

Mayor advised that the matter is unclear. There have been a number of articles on the news recently that some of the State's hospital, school and police station sites will be sold by the State Government, however, Council has not received any information relating to this. The Town is seeking information from the government in relation to its intent at the moment.

Can the Town send them an urgent memo requesting how Council can be involved?

Acting Chief Executive Officer advised a letter will be sent.

5.5 *Councillor Arthur Gear*

Is that a matter more for WALGA to take up?

Mayor advised confirmed yes, in relation to the proposed sale of assets state wide. He added that in regards to the hospital land site here in Port Hedland it is a matter for Council to lobby as well.

5.6 *Councillor Kelly Howlett*

In relation to Council's request for representation on the Dust Taskforce, and Town's Director Regulatory and Community Services' recent attendance at a Taskforce meeting, what transpired at that meeting; and what was the reaction to Council's request?

Acting Chief Executive Officer advised that the request was made formally at the meeting; however the Town is yet to receive a formal response from the Chair of the Taskforce. Formal advice will be forwarded to Council as soon as it is received. The next meeting is on the 30th July, if the Town has not received a response by then, the Town will seek that Council's request be included on the Agenda for the Taskforce.

He added that he understood the Taskforce is still investigating a lot of the issues relating to dust. The plan at the moment is for the Town to present at the meeting what the Town's proposed Town Planning Scheme Amendment for the West End that is being initiated by Council will actually mean for the West End. There seems to be some confusion over what the intent or the outcome that proposed amendment will have in the West End in regards to the dust issue.

What was the feeling when the matter of Council representation was raised?

Director Regulatory and Community Services advised that the view of the Dust Taskforce was that the work of the Taskforce would go to the elected State representatives and to elected Council representatives when the report was finished. The finished report is planned to be presented to Council and Ministerial/Cabinet for consideration. It wasn't seen as appropriate for elected member involvement in the preparation of the report, which is to be purely a technical document for reference through to elected members for consideration. Briefly, the Taskforce's view to Council representation was no.

Is Council able to have a Sister City Working Group Meeting soon?

Acting Chief Executive Officer advised he is able to set a date for the meeting, and asked if Councillors on the Working Group could put forward suggested Agenda Items for this.

In relation to the swings at Shay Gap Park that have been missing since 6th June, are they getting fixed, or have they been stolen?

Director Engineering Services advised this question will be taken on notice.

5.7 Councillor George Daccache

In relation to the 2009 Community Information Directory, and accessing Ranger Services via telephone after hours; can the emergency number listed for Ranger Services be withdrawn, as it is very hard to reach Rangers Services instead of an answering service via this number on weekends?

Director Regulatory and Community Services advised that the matter will be addressed. The Town only has one Ranger on duty outside of normal working hours, so if that duty Ranger is away from his phone for a moment it is not uncommon for a caller to reach a recorded message or voicemail, of which the call is then responded to in an emergency.

If a resident is unable to contact the Ranger, who is responsible for dealing with a wild dog?

Mayor agreed there is a great deal of community concern about being able to contact a Ranger after hours. Council needs to have some phone available for community members to complain to.

Director Regulatory and Community Services advised that by the time the next Community Information Directory is distributed, the correct phone number will be listed if there is a problem.

The Rovers Football Club are having a fundraising ball on the 1st August and they have asked for the fees to be waived for the hire of the hall; I have asked for this request from the Acting Chief Executive Officer; is there a response to that request?

Acting Chief Executive Officer clarified that as he had previously advised, the request would most likely be presented to Council at its proposed Special Meeting to be held when Council also considers its 2009/10 budget document. He added that if the total financial request for fees waived is within his delegated authority level to give a donation, then he will consider it to avoid the Club having to wait any longer for a Council decision.

5.8 *Councillor Jan Ford*

Further to the four matters raised with the Premier during his visit, being the sewerage infill program, Boodarie industrial land site, the Mirvac hotel development and land release; and from the public representation at Council's Ordinary Meeting last month, there was a strong suggestion that Council form a Working Group with community representation to address land release; what does Council need to do to progress that?

Acting Chief Executive Officer advised an Agenda Item can be presented to Council concerning the matter. He added there is a lot of work being done at the moment towards releasing industrial land, and is one of the main reasons why MainRoads WA is currently doing their work on the Highway. The Town is making every opportunity to raise the issue with State Government agencies, parliamentarians and Ministers.

Can the people who are looking for industrial land, rather than big industry be involved?; as after meeting with LandCorp representatives today, I am still concerned that LandCorp is still unaware of the demand for industrial land by small businesses, and the demand for high density housing?

Acting Chief Executive Officer advised that he is unaware of the discussions between Councillor Ford and LandCorp representatives, however he confirmed when Council's Officers have met with LandCorp they have dealt with a number of issues including the demand for industrial land release, high density housing and other issues of land release. He added he would like the opportunity to discuss the matter with those LandCorp representatives that met with Councillor Ford.

What is the status of support for the infill sewerage program; has there been any letters written about this?

Mayor advised the issue has been raised with the Hon. Brendon Grylls, Minister for State Development: Lands, and the State Premier Hon. Colin Barnett. Council is yet to receive formal commitment. The matter is raised in every possible avenue.

As there are a lot of petitions circulating, would it be possible for us to have some feedback prepared for Councillors stating what Council's position is and what we have done, so we can send it to people and feed the information through; so that they don't think that the Town is not doing anything?

Mayor advised a Media Release can be prepared on the Council's efforts [in relation to sewerage infill program] to date.

5.9 *Councillor Grant Bussell*

What was the answer to the question about the working group for land release?

Acting Chief Executive Officer advised that there is no formal Council decision to form a working group.

What would be the process to form a Working Group?

Acting Chief Executive Officer clarified the process would require a report to be presented to Council for its consideration and a Council decision to create a working group.

Will it happen then?

Acting Chief Executive Officer advised the matter will be included on the next Agenda.

5.10 *Councillor Jan Ford*

Can Gladstone be included in the itinerary for the planned trip to Darwin, which is included in tonight's Agenda, as the Town's Chief Executive Officer was very interested in Gladstone, it's a mining port, and it's in a State (as opposed to a Territory)? Since Council does not seem to be able to join the Dust Taskforce, could a representative from the Taskforce be included in Council's visit to Darwin, so that they can look at what other ports are doing in relation to their Town, residents and air?

Mayor confirmed Council could invite a representative from the Dust Taskforce to join Council's visit to Darwin.

I understand that Mr Ian Taylor is currently on the Dust Taskforce; is this correct?

Acting Chief Executive Officer confirmed that Mr Taylor is a consultant to Council, who is currently sitting on the Dust Taskforce on behalf of Council.

Could be have a big map of the Town be prepared, which the Town can identify all projects on? What do we need to follow this up, so that we can show people in the Town what our business is and what our projects are on the map?

Acting Chief Executive Officer advised the request for a map which identifies the Town's projects will be looked at.

**ITEM 6 DECLARATION BY MEMBERS TO HAVE GIVEN DUE
CONSIDERATION TO ALL MATTERS CONTAINED IN THE
BUSINESS PAPER PRESENTED BEFORE THE MEETING**

The following Members verbally declared to have given due consideration to all matters contained in the Business Paper presented before the meeting, excluding late items.

| | |
|-----------------|-------------------|
| Cr S R Martin | Cr J E Ford |
| Cr A A Carter | Cr A A Gear |
| Cr G D Bussell | Cr J M Gillingham |
| Cr S J Coates | Cr K A Howlett |
| Cr G J Daccache | |

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Wednesday 24 June 2009

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held on Wednesday 24 June 2009 be confirmed as a true and correct record of proceedings.

200910/001 Council Decision

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That the Confirmation of the Minutes of the

- i) Ordinary Meeting of Council held on Wednesday 24 June 2009; and
- ii) Special Meeting of Council held on Monday 29 June 2009

be considered at the Special Meeting of Council proposed to be held on Wednesday 29 July 2009.

CARRIED 9/0

REASON: Due to Councillors receiving a copy of Minutes today, considering the confirmation of both sets of Minutes at a Special Meeting of Council which is being proposed to be held on Wednesday 29 July 2009, would give elected members sufficient time to read the documents.

7.2 Confirmation of Minutes of Special Meeting of Council held on Monday 29 June 2009

Officer's Recommendation

That the Minutes of the Special Meeting of Council held on Monday 29 June 2009 be confirmed as a true and correct record of proceedings.

NOTE: Refer to Council Decision 200910/001, in Agenda Item 7.1 above.

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

Nil.

ITEM 9 REPORTS BY ELECTED MEMBERS WITHOUT DISCUSSION*9.1 Councillor Arthur Gear*

During the month, Councillor Gear attended:

- the PRC meeting and advised Council of LG Reform discussions from that meeting; and
- the NAIDOC week opening.

9.2 Councillor Jan Gillingham

Councillor Gillingham advised that while visiting Queensland recently she also visited an indigenous nursery in the Redlands Bay Area.

9.3 Councillor Kelly Howlett

During the month, Councillor Howlett attended:

- the Boodarie Bowls Carnival;
- Cooke Point Neighbourhood BBQ
- Sea Sunday Service Celebration at the Seafarers Centre
- Breakfast function for the Shadow Treasurer
- New Residents Welcome BBQ
- Rotary President's Change Over Dinner

Councillor Howlett also advised Council:

- It is almost certain the turtle sculpture will be located in Port Hedland;
- The Tidy Towns Submission is nearing finalisation; and
- Cash for Trash has exceeded 65,000 bottles collected.

9.4 Councillor George Daccache

Councillor Daccache advised Council that he also attended the Boodarie Bowls Carnival.

**ITEM 10 PETITIONS/DEPUTATIONS/PRESENTATIONS/
SUBMISSIONS**

Nil.

ITEM 11 REPORTS OF OFFICERS**11.1 GOVERNANCE**

NOTE: Agenda Item 11.1.1 'Status of Council Decisions' was withdrawn.

11.2 REGULATORY AND COMMUNITY SERVICES**11.2.1 Director Regulatory and Community Services***11.2.1.1 Monthly Report – Community and Regulatory Services (File No.: 13/04/0001)*

Officer Nellie Mackay
Executive Assistant
Community and Regulatory
Services

Date of Report 16 June 2009

Disclosure of Interest by Officer Nil

Summary

Report on activities for the month of June 2009 within the Community and Regulatory Services directorate for Council's information.

Background

Community and Regulatory Services Monthly report to Council.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

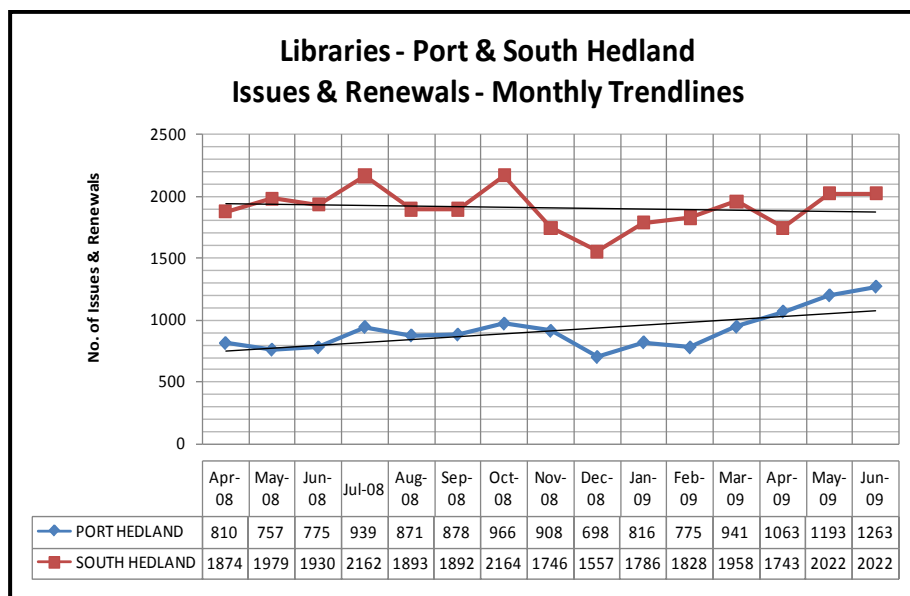
Officer's Comment

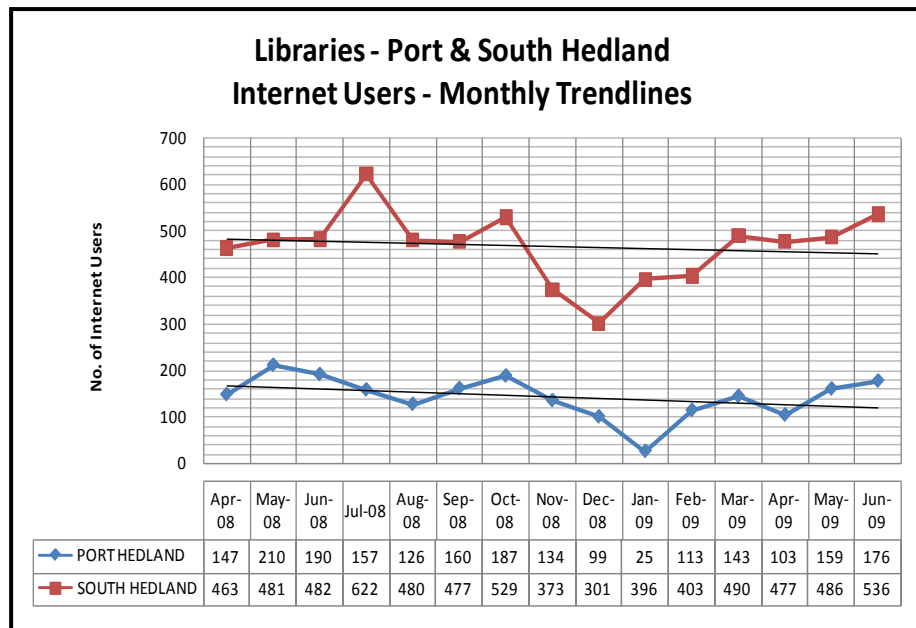
Library and Information Services

| PORT HEDLAND LIBRARY | Jan-09 | Feb-09 | Mar-09 | Apr-09 | May-09 | Jun-09 |
|------------------------------|--|--------|--------|--------|--------|--------|
| Issues & Renewals | 816 | 775 | 941 | 1063 | 1193 | 1263 |
| Reservations | 22 | 15 | 23 | 29 | 25 | 37 |
| New Borrowers | 37 | 28 | 23 | 30 | 22 | 31 |
| Internet Users | 25 | 113 | 143 | 103 | 159 | 176 |
| Door Count | | | |) | 851 | 865 |
| Reference Enquiries | New statistics collected effective May 2009) | | | | 70 | 218 |
| General Enquiries | | | |) | 15 | 21 |
| Technical/Computer | | | |) | 13 | 7 |
| SOUTH HEDLAND LIBRARY | Jan-09 | Feb-09 | Mar-09 | Apr-09 | May-09 | Jun-09 |
| Issues & Renewals | 1786 | 1828 | 1958 | 1743 | 2022 | 2022 |
| Reservations | 58 | 85 | 80 | 69 | 88 | 40 |
| New Borrowers | 53 | 70 | 69 | 66 | 72 | 66 |
| Internet Users | 396 | 403 | 490 | 477 | 486 | 536 |
| Door Count | | | |) | 1603 | 1702 |
| Reference Enquiries | New statistics collected effective May 2009) | | | | 74 | 214 |
| General Enquiries | | | |) | 34 | 136 |
| Technical/Computer | | | |) | 37 | 37 |

A stocktake at both Port and South Hedland Libraries was undertaken and ran very efficiently with minimum closure time of the libraries. This was due to the commitment from Library staff, both full time and casual and also the work by the IT department in setting up laptops and hand held scanners for ease of use by staff.

South Hedland was closed on 10/6/09 to allow staff to physically stocktake different sections of the library simultaneously using laptop computers and barcode scanners, and Port Hedland branch was undertaken on a Wednesday morning during a time when the library service is not normally operational. Approximately 28,000 items were counted. Figures have been sent to the State Library for reconciliation against their holdings.

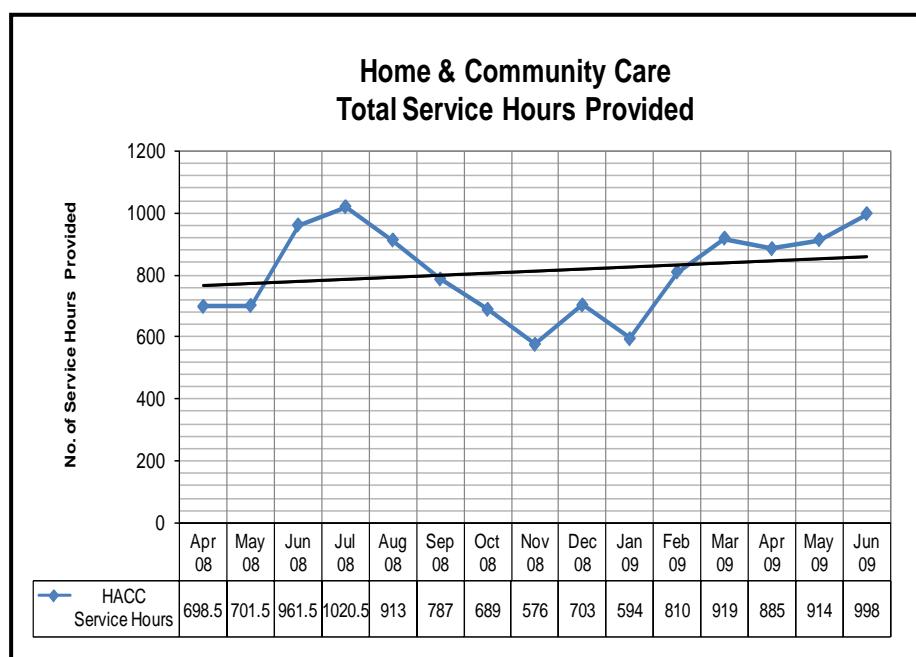




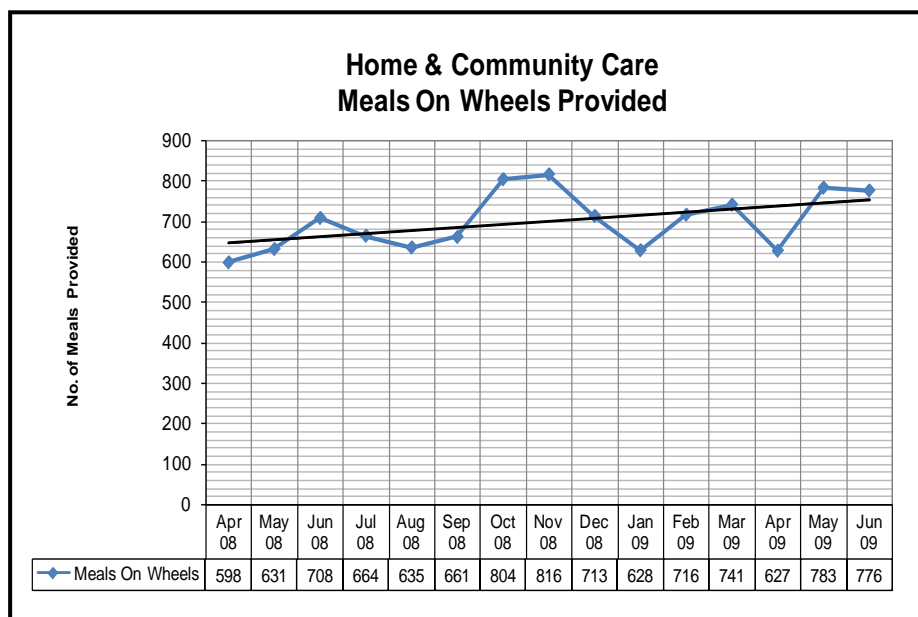
Human Services

HACC Programme

| HACC Service Hours for June 2009 | |
|---|-----|
| Meals on Wheels | 776 |
| Day Centre Attendance (hours) | 810 |
| Domestic Assistance (hours) | 129 |
| Personal Care (hours) | 20 |
| Social Support (hours) | 28 |
| Transport (one way) | 250 |
| Home Maintenance (hours) | 11 |
| Assessments | 4 |



Note: Total Service Hours includes services as Domestic Assistance, Day Centre Attendance, Personal Care, Social Support and Home Maintenance.

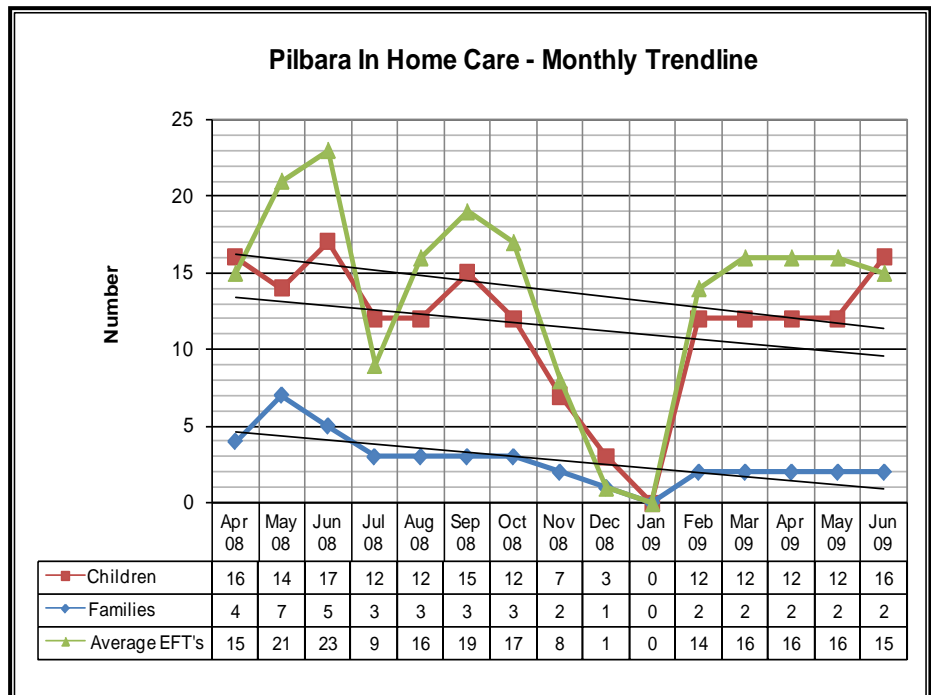
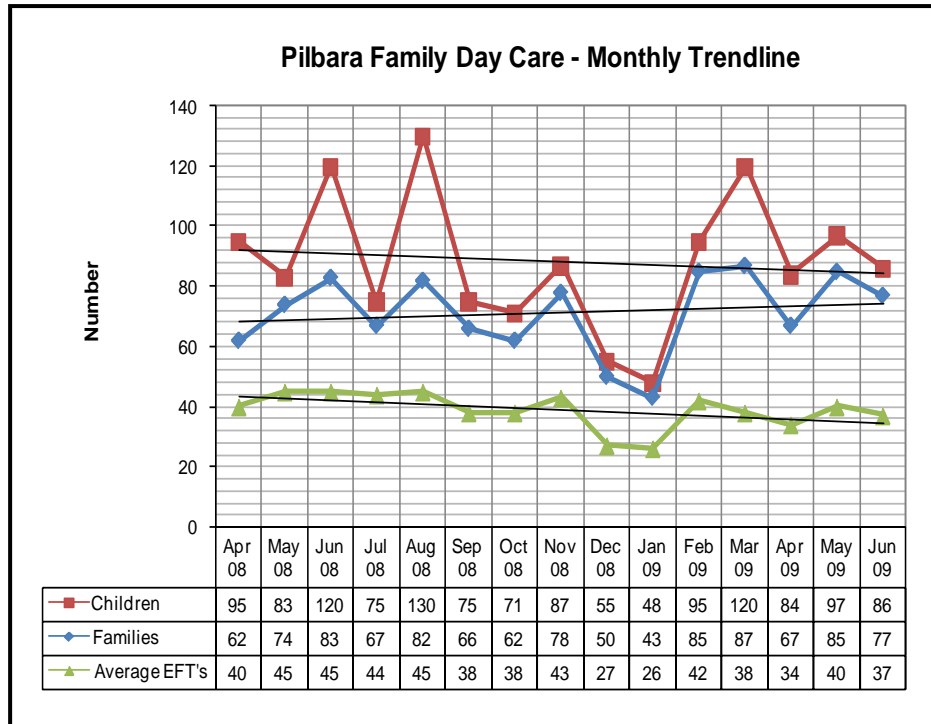


Pilbara Family Day Care (PFDC)

The Co-ordinator was successful in applying for an earlier “self study” for accreditation. This will now occur on 18th September 2009 rather than the original scheduled date of 18 November 2009.

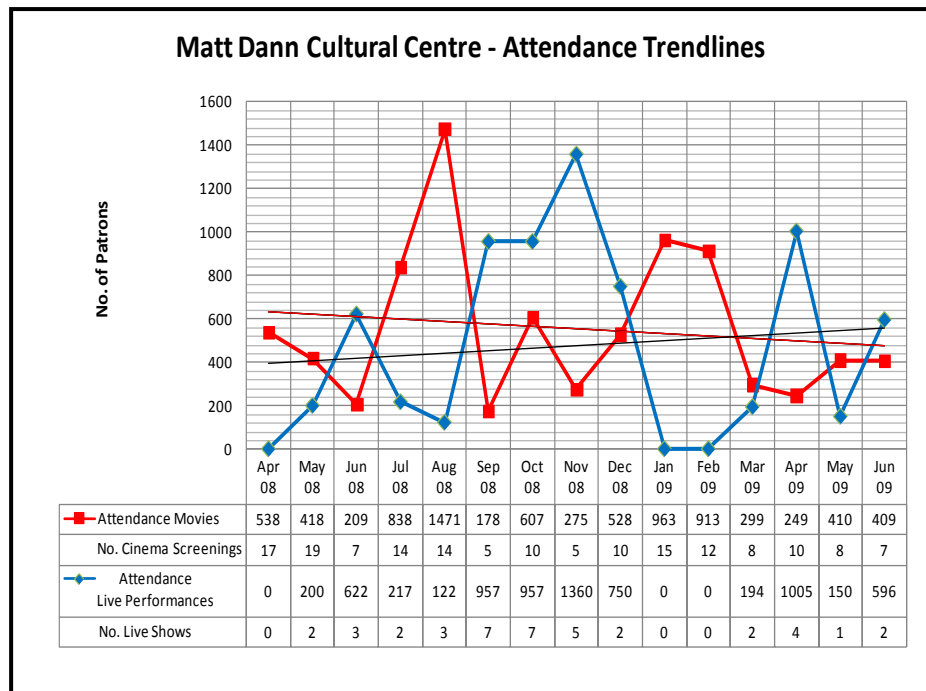
The Co-ordinator has conducted health and safety checks in Newman and discussed with carers there the Q.A. outcomes and how to achieve better outcomes in the forthcoming “self-study”.

| Location | Carers currently within Scheme | Carers currently going through licensing |
|---------------|--------------------------------|--|
| South Hedland | 3 | 1 |
| Wickham | - | 1 |
| Karratha | 4 | - |
| Newman | 4 | 1 |
| Tom Price | - | 3 |
| Paraburdoo | 2 | - |
| Point Samson | - | - |
| TOTAL | 13 | 6 |



Events and Matt Dann Cultural Centre

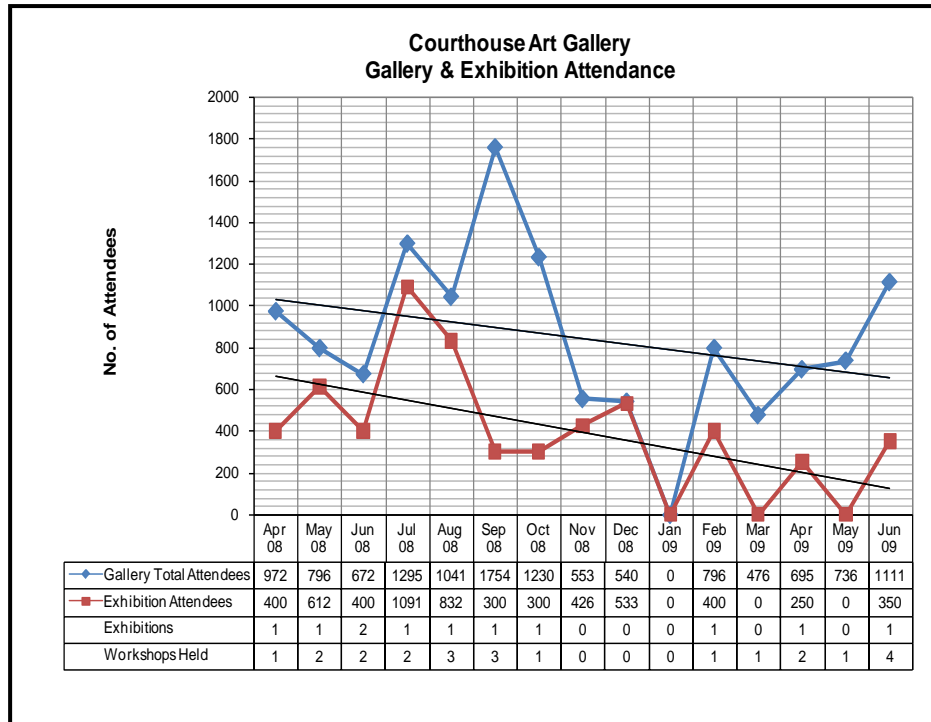
The month of June held two live performances being a Thursday and Friday night for the Melbourne Comedy Festival. Both performances were sold out shows, attracting a total of 598 patrons over the two nights.



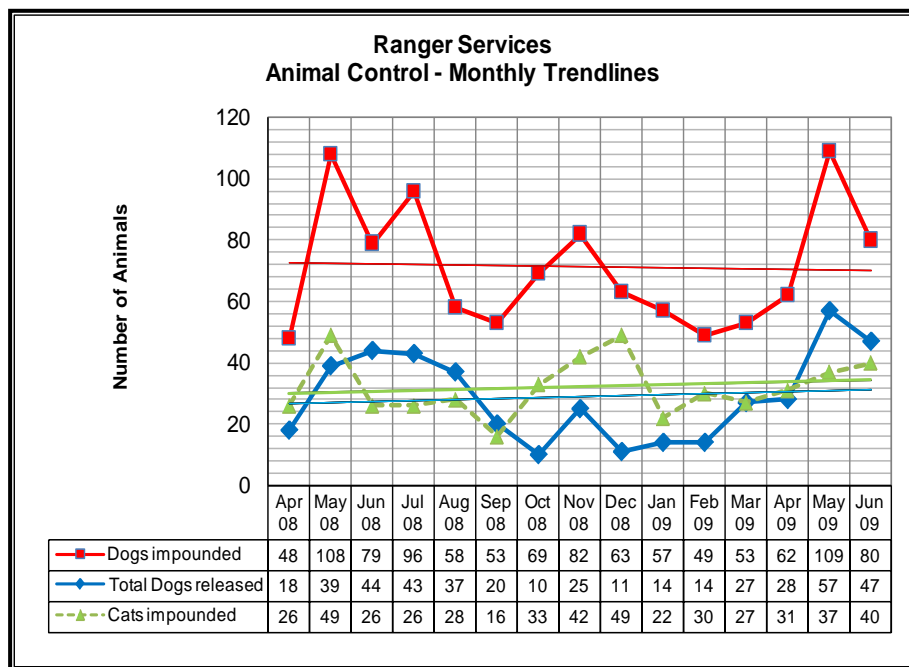
Courthouse Gallery

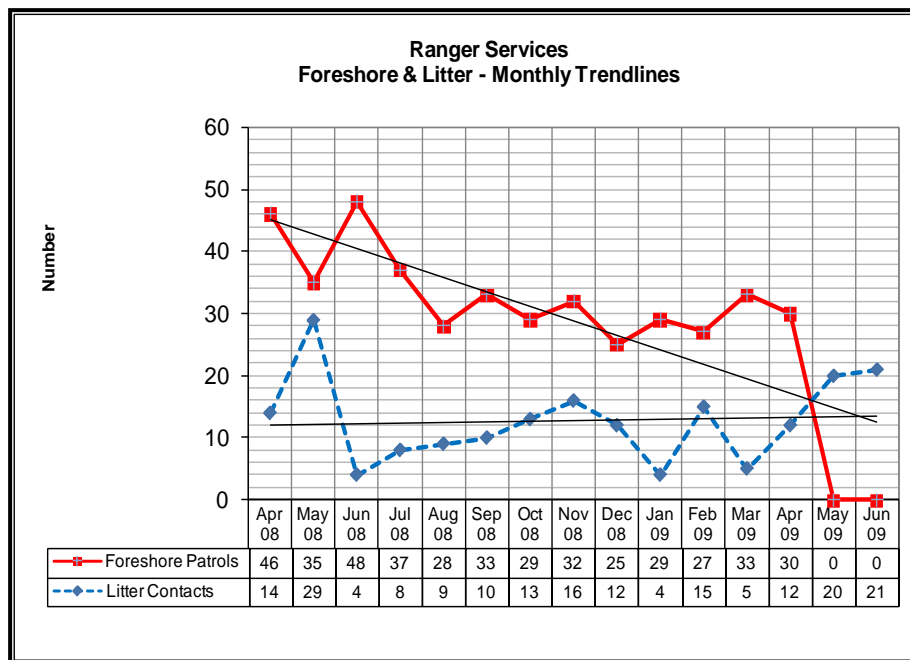
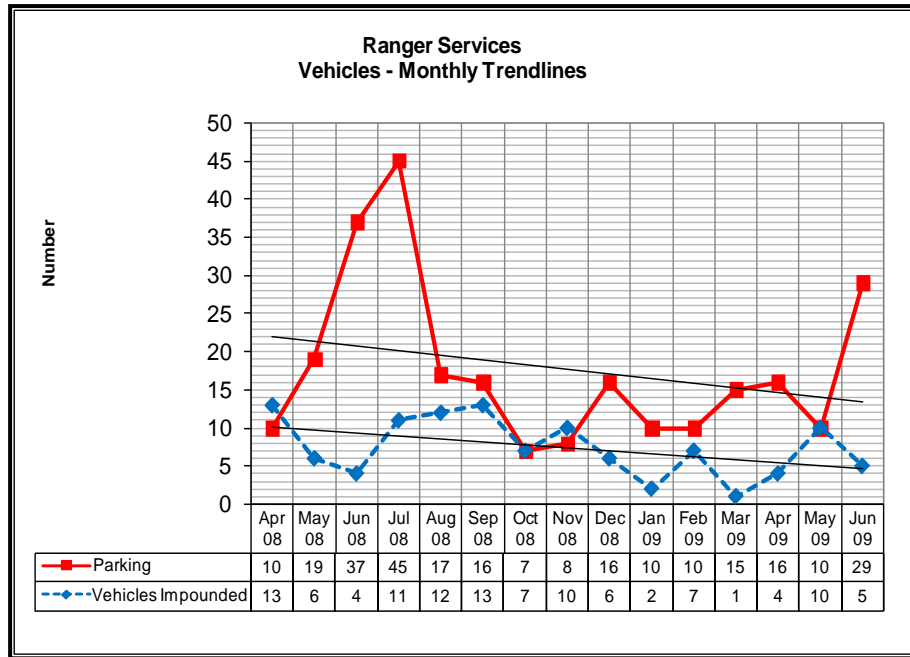
Workshops held in the month of June were the Advanced P.H.otography course for 13 people, the P.H.otography 2009 course for 55 people, a Painting workshop (life drawing) in which 19 people attended and a Sculpture workshop which attracted 14 people.

The Spinifex Hill Artists Exhibition was held in June and a total of 350 people attended the opening night. The "Let's Get Started!" program with the Spinifex Hill Artists is still running and the program was held for 2 separate weeks in June with between 11-15 people at each workshop.

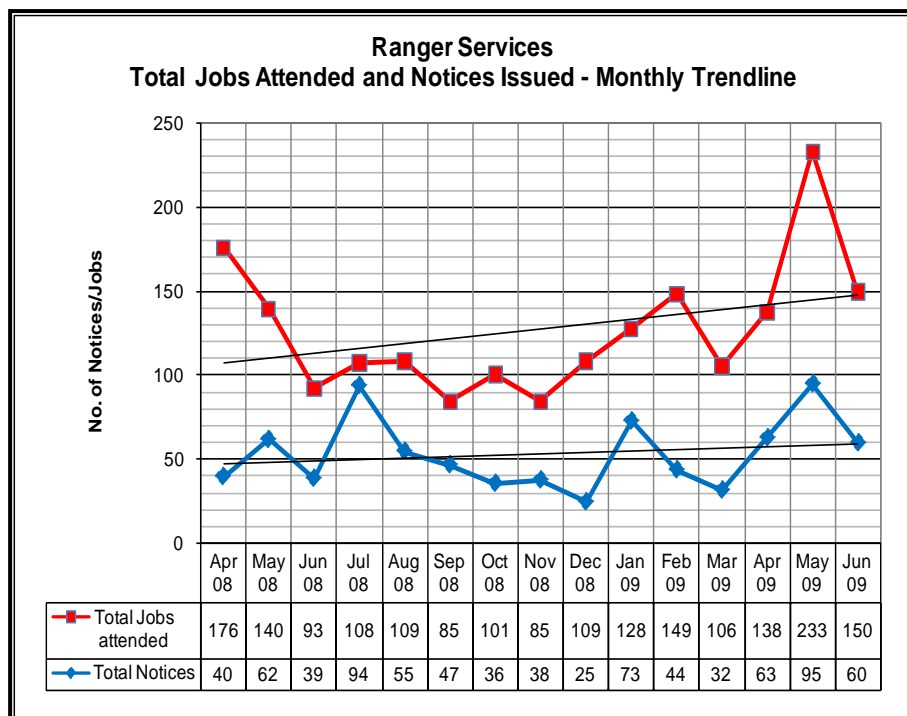


Environmental Health Services – Ranger Statistics





NOTE. No dedicated foreshore patrols occurred as Turtle season has ended.



Plan for the Future 2008-2013 Progress Report

Council's Community & Regulatory Services Directorate has provided an update on the projects that they are currently managing (48 of the 110 strategies defined) in line with the current Plan for the Future 2008-2013. The attached report provides an update on the progress and status of the strategies within the C&RS Directorate.

Attachments

Plan for the Future Works Programme for Community and Regulatory Services for the period 1 July 2008 to 30 June 2009.

200910/002 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council receives the Community and Regulatory Services Report for June 2009.

CARRIED 9/0

| PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009 | | | | | | | | | | | | | | | | |
|--|--|----------------------|--|-------|-----|------|-----|-----|-------|-------|-------|-----|-----|-----|-------|--|
| Legend | | Cyclone Watch/Season | | | | | | | | | | | | | | |
| Commenced Project | | | | | | | | | | | | | | | | |
| Milestones | | | | | | | | | | | | | | | | |
| Project Completed | | | | | | | | | | | | | | | | |
| On-going project | | | | | | | | | | | | | | | | |
| Officer | Plan for the Future Key Result Area / Goal / Strategy | A/c No. | Strategy | July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | June | COMMENTS |
| MCED | KRA 1 - Infrastructure Goal 2 - P&G Strategy 7 | | Investigate the development of a Community Vegetable Garden. | | | | | | | | | | | | Start | Work to commence with appointment of replacement Community Development Officer (CDO) June 09. |
| MCED | KRA 2 - Community Pride Goal 1 - Litter Strategy 1 | | Work with community groups to develop community programs and initiatives that reduce litter and improving the appearance of Port and South Hedland. | | | | | | | Start | | | | | Comp | Ongoing. |
| DCRS | KRA 2 - Community Pride Goal 1 - Litter Strategy 3 | | Review legislative alternatives that are available to Council to improve the visual appearances of untidy properties within Town. Implement agreed initiatives. | | | | | | | | Start | | | | | Review commenced - Report to Council in July. |
| MCED / MRS | KRA 3 - Community Development Goal 1 - Youth & Children Strategy 2 | | Convert the JD Hardie Centre into a more youth focused facility. 2008 capital works program managed by MRS. Youth Precinct development project now managed by MCED | Start | | | | | | | | | | | | Architect concept drawings reworked following service provider and youth consultation. Now working on detailed design and documentation for tender process. Will be presented to Youth Facilities Working Group and Council - timeline being revised by architect to meet tender timeframes. Upgrade of the carpark completed. |
| MCED | KRA 3 - Community Development Goal 1 - Youth & Children Strategy 6 | | Work with Stakeholders on initiatives that improve both the perception and the quality of education within the Town. | | | | | | | | | | | | | Ongoing. Communication strategy to promote Hedland education being developed in conjunction with Hedland Education Forum. MCED now on Forum, works on Attraction & Retention sub-group - linkages to Welcome to Hedland events and community buddy system being set up for new teachers & families . |
| MEH | KRA 3 - Community Development Goal 2 - Sports & Leisure Strategy 4 | | Explore opportunities for the development of an appropriate off-road/recreational driving area that is away from sensitive beach and dune areas. | | | | | | | | Start | | | | Compl | <i>Report presented to the May meeting and officers to continue to seek new off road areas – complete</i> |
| MLIS | KRA 3 - Community Development Goal 2 - Sports & Leisure Strategy 5 | | Review library operations and locations develop a plan for the future operations of libraries in the Town. | | | | | | | | | | | | Compl | Consultant to be engaged. |
| MEH | KRA 3 - Community Development Goal 3 - Health Strategy 3 | | Review Environmental Health service levels to the Town of Port Hedland and develop a Local Public Health Plan based on risk management principals. | | | | | | Start | | | | | | Compl | <i>Draft plan completed still being reviewed. This project will become a priority once RFR projects are completed.</i> |
| MCED | KRA 3 - Community Development Goal 3 - Health Strategy 5 | | Review the Town's Disability Service Plan and undertake actions to improve access to services and all facilities. | | | | | | | | | | | | Compl | DAIP with community feedback incorporated was considered at April Council meeting and adopted. Community Consultation DAIP group set up, meets 2-monthly. Priority access issue - pathway to rear of Council building for after hours access - 0910 budget item request. |
| DCRS/ MCED | KRA 3 - Community Development Goal 4 - CSCP Strategy 1 | | Work with partners to engage a Community Safety & Crime Prevention Coordinator/Facilitator whose primary responsibility is to ensure the timely implementation of initiatives listed in the Town of Port Hedland Community Safety & Crime Prevention Plan. | | | | | | | | | | | | | CSF Co-ordinator commenced 25 March 09, meeting agencies who are party to CSCP Plan. CSCP working group decided Top 3 priorities for 09: Perception of safety, CCTV, safe parks and walkways particularly South Hedland. These are priority projects for CSF. |

| PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009 | | | | | | | | | | | | | | | | |
|--|---|----------------------|---|-----------------------|-----|-------|-------|-----|-----|-------|-----------------|-------|-----|-----|----------------------|--|
| Legend | | Cyclone Watch/Season | | | | | | | | | | | | | | |
| Commenced Project | | | | | | | | | | | | | | | | |
| Milestones | | | | | | | | | | | | | | | | |
| Project Completed | | | | | | | | | | | | | | | | |
| On-going project | | | | | | | | | | | | | | | | |
| Officer | Plan for the Future Key Result Area / Goal / Strategy | A/c No. | Strategy | July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | June | COMMENTS |
| DCRS | KRA 3 - Community Development Goal 4 - CSCP Strategy 4 | | Install CCTV and/or other appropriate security measures for identified crime and safety "hot spots". | Start | | | | | | | Scope Tender | | | | | Variation to contract is required regarding construction of own tower in lieu of dual use of Telstra tower. Difficulties encountered requiring installation of Horizon Power poles, delaying completion until July. |
| MCED / MRS | KRA 3 - Community Development Goal 4 - CSCP Strategy 5 | | Work in partnership with government and other stakeholders to develop additional "pro-social" diversionary activities for young people. | | | | | | | Start | | | | | | Followup Urban Art workshops planned for June/July to capture youth perspective on Hedland. Youth Fest in September 2009. |
| DCRS | KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 1 | | Initiate the development of Board of Management to manage and operate Council funded facilities within the Courthouse Art Centre and Gallery precinct. | Start 2007 | | | | | | | | | | | Comp Aug 2009 | Agreement has been undertaken with FORM Contemporary Art & Design to manage Courthouse from 1/9/08 - 30/8/09, whilst longer term agreement with PACDAC is being finalised, and model for present management is finalised. |
| MCED | KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 2 | | Develop a public art policy/strategy and install public art in key locations within the Town. | Start July 2007 | | | | | | | | | | | | Consultation with stakeholders is ongoing. Small working group of SHNL, BHPBIO, TOPH MCED and MIS, Creating Communities working on process for location and type of public art across town - map will be developed from this work to encourage public enjoyment of art works. |
| MCED / MIS / MES | KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 3 | | Develop a unique entry statement to the Town. MIS developing landscaping for this project | Start | | | | | | | | | | | Landscaping compl | Artist Jahne Rees now commenced design and construct phase of artwork project artwork 'Scapism'. Preliminary landscaping commenced April. Delays have occurred in artwork as a result of difficulty in obtaining sign off from structural engineer - engineering footings drawings now completed, local sub- |
| MCED | KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 4 | | Undertake initiatives that both increase patronage levels and improve the financial performance of the Matt Dann Theatre. | Start | | | | | | | | Compl | | | | New ticketing system now installed. Review of frequency of cinema screenings to reduce loss has been effective. |
| DCRS | KRA 3 - Community Development Goal 5 - Arts & Culture Strategy 5 | | Actively pursue the development of additional arts and cultural facilities within the Town including a new commercial cinema and an aboriginal arts facility. | | | Start | | | | | | | | | Compl | Indigenous Art classes commenced with FORM. Workspace now obtained at Aboriginal Fellowship Church. |
| MCED | KRA 4 - Economic Development Goal 1 - Tourism Strategy 3 | | Redevelop the visitor entry bays on the northern and southern roads entrances to the Town. | | | | Start | | | | | | | | Compl | Preliminary design work for Northern entry statement commenced in conjunction with Entry Statement art installation. Collaboration with PHVC re creating new billboards and tourist maps for information bay. |
| DCRS | KRA 4 - Economic Development Goal 1 - Tourism Strategy 5 | | Identify sites for the development of new caravan park/eco tourism facilities (both permanent and temporary). Implement key priority projects. | | | Start | | | | | | | | | | Feature survey of land adjacent to Cooke Point Caravan Park completed. Item raised at Council meeting of January 09 to initiate proceedings to acquire land for use as Caravan Park. Matter laid on the table. |
| MCED | KRA 4 - Economic Development Goal 3 - Business Development Strategy 1 | | Work with the BEC, PHCCI and others to investigate the potential development of a Business Incubator and/or other small business development initiatives within the Town. | | | | | | | Start | | | | | | Strategic planning done in conjunction with PDC Economic Development team to identify partnership opportunities. Enterprise development initiatives: business incubators explored with CCI, SBDC and PDC; enterprise development opportunities in hospitality and training with FMGL. |
| MCED / DCRS | KRA 4 - Economic Development Goal 3 - Business Development Strategy 2 | | Develop Council policies and/or incentives that assist in attracting and retaining businesses within the Town of Port Hedland. | | | | | | | | Start | | | | | Research commenced. Report to be considered by Council July/August. |

| PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009 | | | | | | | | | | | | | | | | |
|--|---|----------------------|--|-------|-------|------|-----|-----|-------|-------|-------|-----|-----|-----|------|--|
| Legend | | Cyclone Watch/Season | | | | | | | | | | | | | | |
| Commenced Project | | | | | | | | | | | | | | | | |
| Milestones | | | | | | | | | | | | | | | | |
| Project Completed | | | | | | | | | | | | | | | | |
| On-going project | | | | | | | | | | | | | | | | |
| Officer | Plan for the Future Key Result Area / Goal / Strategy | A/c No. | Strategy | July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | June | COMMENTS |
| MP | KRA 4 - Economic Development Goal 4 - Land Development Project Strategy 3 | | Work with the DPI to identify additional crown land that can be released for development in a timely manner. | | | | | | Start | | | | | | | Draft Residential Rationalisation Plan is being finalised for public release end of June. Budget request for Non-Residential component and Lands Officer to facilitate continued action in this goal area. DPI-SLS requested to release several lots in South Hedland. |
| MP | KRA 4 - Economic Development Goal 5 - Town Planning & Building Strategy 2 | | Develop Local Planning Scheme No. 6 | | | | | | | | Start | | | | | Drafting work and informal consultation with Council and Community commenced. Budget request for human resources lodged for 09/10 period. Est compl June 2010 |
| MP | KRA 4 - Economic Development Goal 5 - Town Planning & Building Strategy 3 | | Develop Structure Plans for key precinct areas with a particular focus on the Spoilbank/Hospital/Hotel Precinct. | | | | | | | Start | | | | | | Budget request lodged for key areas 09/10 period. |
| DCRS | KRA 6 - Governance Goal 2 - Traditional Owners & Abor Strategy 1 | | Work with the State and Federal Government to sustainably progress the implementation of the 2006 Bilateral Agreement on Services to Indigenous Community. | Start | | | | | | | | | | | | Currently awaiting outcomes of service level review by State & Federal Government Agencies. |
| DCRS | KRA 6 - Governance Goal 2 - Traditional Owners & Abor Strategy 2 | | Work with relevant agencies to implement an appropriate action plan to address community visitors including the development of a managed campground. | | Start | | | | | | | | | | | Advice has been sought from AAWG as to site needs and design requirements. Access to land to be secured through DPI. |
| MCED | KRA 6 - Governance Goal 3 - Communication Strategy 3 | | Install community noticeboards that advertise local services and events. | | | | | | Start | | | | | | | Installation of static boards to 7 sites completed with posters created in-house displaying forthcoming community events and major promotions. |
| ONGOING KRA'S | | | | | | | | | | | | | | | | |
| MP / CEO | KRA 2 - Community Pride Goal 1 - Litter | | Work with key stakeholders to commence implementation of the south Hedland CBD Structure Plan to significantly improve the appearance and vitality of this area. | | | | | | | | | | | | | Structure Plan has been forwarded to WAPC for endorsement. Council has support the land activities (vesting, subdivision, amalgmations etc) to facilitate the Town Centre Development. LandCorp and the Administration continue to work with key stakeholders (partners) to implement the recommendations of the structure plan. |
| MCED | KRA 2 - Community Pride Goal 2 - Events Strategy 1 | | Play an integral role in the coordination, operation and communication of community events via a range of strategies including:- Managing and operating at least six major community events per annum supporting community groups who are operating community events through training, support advice and, where appropriate, financial support. | | | | | | | | | | | | | Events ongoing - No remaining events for 08/09 calendar. Community calendar of events on-line, and distributed in hard copy at Welcome to Hedland BBQs. Youth Fest planned for Sept 09. Planning underway for Spinifex Spree on 24&25 July 09. |
| MCED | KRA 2 - Community Pride Goal 2 - Events Strategy 2 | | Work with community groups to implement neighbourhood competitions and events (eg Tidy Towns, Best Maintained Business, Best Gardens, Street Parties, Xmas Lights etc) | | | | | | | | | | | | | Tidy Towns Committee re-established. Ongoing liaison with Welcome to Hedland working group regarding other community pride events being undertaken. |
| MCED | KRA 2 - Community Pride Goal 2 - Events Strategy 3 | | Develop a well known, all inclusive calendar of community events. | | | | | | | | | | | | | Calendar has been on-line for 18 months Currently working to implement new, easier to manage and better presented event calendar. This will be available for community to access and to request their events to be added online.Hard copy of calendar distributed in Welcome to Hedland kits and at Welcome BBQs. |

| PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009 | | | | | | | | | | | | | | | | |
|--|--|----------------------|---|------|-----|------|----------|-----|-----|-----|-----|-----|-----|-----|------|--|
| Legend | | Cyclone Watch/Season | | | | | | | | | | | | | | |
| Commenced Project | | | | | | | | | | | | | | | | |
| Milestones | | | | | | | | | | | | | | | | |
| Project Completed | | | | | | | | | | | | | | | | |
| On-going project | | | | | | | | | | | | | | | | |
| Officer | Plan for the Future Key Result Area / Goal / Strategy | A/c No. | Strategy | July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | June | COMMENTS |
| MCED | KRA 2 - Community Pride Goal 2 - Events Strategy 4 | | Explore and actively seek to attract "draw card" events to the Town of Port Hedland. | | | | | | | | | | | | | Ongoing. Spinifex Spree 09 and Hedland's birthday next big events for 09/10. |
| MBS | KRA 2 - Community Pride Goal 3 - Townscape Strategy 2 | | Review, update and continue to implement Council's 5 year Civic Buildings Cyclical Maintenance and Captial Development Plan. | | | | | | | | | | | | | Ongoing for presentation as part of budget process. |
| MCED | KRA 3 - Community Development Goal 1 - Youth & Children Strategy 1 | | Work with stakeholders to develop a consolidated plan to improve the availability of Child Care (both centre based and Family Day Care) places available with the Town. Implement key initiatives in a timely manner. | | | | | | | | | | | | | Started 2006 - Ongoing project. PFDCS now based in Karratha due to Coordinator's relocation - working out very well as is regional role already, and more carers in other LGAs than Hedland although Hedland is priority growth target area for PFDCS for 09. |
| MCED | KRA 3 - Community Development Goal 1 - Youth & Children Strategy 3 | | Establish regular formalised consultation mechanisms between Council and Young People. | | | | Election | | | | HYP | | | | | Hedland Youth Plan (HYP) community feedback completed - to be launched 28 July 09. Leadership Development Program for young leaders will be launched on 4 June 09. |
| MCED | KRA 3 - Community Development Goal 1 - Youth & Children Strategy 4 | | Ensure that the community has an opportunity to become involved in Council infrastructure projects such as park developments, tree planting, event planning etc. | | | | | | | | | | | | | Ongoing. Project group established Jan 09 by MCED and MID to coordinate and map elements of Council's POS and parks development, including public art. Community input mechanism being determined through this group - Is high priority with all projects. Printed Tour Guide to artworks, parks & playgrounds, including disabled facilities planned for 09/10. |
| MCED | KRA 3 - Community Development Goal 1 - Youth & Children Strategy 5 | | Work with key youth stakeholders to ensure that a range of events/functions are available for local youth including recreation, leisure, adventure and art/craft activities. | | | | | | | | | | | | | Currently MCED and 3 other agencies provide mentor support to members of HYLK each meeting. Regular agenda items to develop youth based events. Ongoing project. ToPH MCED is chair HYSAG in 09 to coordinate youth service activites in Hedland and drive the Hedland Youth Plan priorities. |
| MEH | KRA 3 - Community Development Goal 3 - Health Strategy 4 | | Monitor commercial and industrial activities that have potential negative impacts on the community, and actively seek Department of Environment and Conservation enforcement of regulatory standards. | | | | | | | | | | | | | Ongoing . Working relationship with the DEC in Karratha has been established. |
| DCRS | KRA 3 - Community Development Goal 4 - CSCP Stragegy 2 | | In conjunction with the Police and other stakeholders, develop initiatives that discourage street drinking, littering, graffiti and other anti-socia behaviour in public places and implement appropriate actions. | | | | | | | | | | | | | Introduced "Eyes on the Street" in Sept 07 Ongoing looking at other initiatives. |
| MEH | KRA 3 - Community Development Goal 4 - CSCP Strategy 3 | | Adopt a community based emergency risk management process for theTown, and co-ordinate the development of response plans to natural disasters through the Local Emergency Management Committee (LEMC) | | | | | | | | | | | | | Ongoing with regular meetings being held with LEMC & Recovery members |
| DCRS / CEO | KRA 4 - Economic Development Goal 2 - Mining Strategy 2 | | Review all mining and port development proposals to ensure that any negative impacts on the community due to itther construction or operational activities are minimised. | | | | | | | | | | | | | Ongoing |

| PLAN FOR THE FUTURE WORKS PROGRAMME FOR COMMUNITY & REGULATORY SERVICES FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009 | | | | | | | | | | | | | | | | |
|--|---|----------------------|---|------|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|------|---|
| Legend | | Cyclone Watch/Season | | | | | | | | | | | | | | |
| Commenced Project | | | | | | | | | | | | | | | | |
| Milestones | | | | | | | | | | | | | | | | |
| Project Completed | | | | | | | | | | | | | | | | |
| On-going project | | | | | | | | | | | | | | | | |
| Officer | Plan for the Future Key Result Area / Goal / Strategy | A/c No. | Strategy | July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | June | COMMENTS |
| CEO / DCRS | KRA 4 - Economic Development Goal 4 - Land Development Project Strategy 1 | | Fast track the release and development of commercial, industrial and residential land in a sustainable manner including: Pretty Pool Developments South Hedland New Living development various industrial land releas programs Moore St and West end Developments South Hedland CBD Developments Redevelopment of the Port Hedland Telstra/Water Corporation site. | | | | | | | | | | | | | Release of Pretty Pool Stage 4 completed.Ongoing release of residential land in South Hedland Concept plan for SH CBD endorsed by Council. Development of industrial land commenced due for completion Feb 09 Wilson St super log released for tender July 08 Morgan St development to be released to market Early 2009. Preliminary discussions held with Telstra/Water Corp re release of land in Spinifex Hill/Cooke Point. |
| MP | KRA 4 - Economic Development Goal 5 - Town Planning & Building Strategy 1 | | Work with key stakeholders to ensure that the Land Use Master Plan is implemented. | | | | | | | | | | | | | Ongoing. |
| MP | KRA 5 - Environment Goal 1 - Waste Management Strategy 4 | | Actively pursue the relocation of the Wedgefield Tox Free facility to a location that does not have the land use conflicts that the existing facility currently presents. | | | | | | | | | | | | | Ongoing. |
| MEH | KRA 5 - Environment Goal 1 - Waste Management Strategy 5 | | Support water re-use initiatives including residential rey water reuse. | | | | | | | | | | | | | Ongoing. ToPH recycles 100% of its wastewater received. A new "Re-use Waste Water Manual" has been developed from which a check list for compliance to our DOH approval has been raised and sent to the Manager of Works to ensure compliance with that approval. A comprehensive water sampling programme has been developed and monthly samples are taken for analysis. A comprehensive water sampling programme has been developed and monthly samples taken for analysis. Grey water re-use systems are approved by the Dept of Health and will be considered by the ToPH on application. |
| MCED | KRA 6 - Governance Goal 1 - Leadership Strategy 2 | | Investigate options to develop new and emergent leaders in our community. | | | | | | | | | | | | | HYLC established Oct 07 by HYSAG. MCED provides ongoing mentoring and support to HYLC weekly meetings. Leadership development program being developed, funded by Telethon Institute and OCP's Robin Hood funding. Leadership challenge weekend held Sept09. 1:1 program started to run young leaders course July to Nov 09. |
| MEH | KRA 6 - Governance Goal 5 - Policy & Legislation Strategy 3 | | Work with key agencies to review and develop Council policies in relation to fire prevention and fire management. | | | | | | | | | | | | | A new Ranger vehicle which doubles as a fire response unit has been requested in the 09/10 budget for consideration. A close working relationship with the fire services in Hedland has been established. |

11.2.1.2 Delegated Planning, Building and Environmental Health Approvals and Orders for June 2009 (File No.: 18/07/0002 and 07/02/0003)

Officer Nellie Mackay
Executive Assistant
Community and Regulatory
Services

Date of Report 14 July 2009

Disclosure of Interest by Officer Nil

Summary

This item relates to the Planning and Building approvals and Environmental Health Orders considered under Delegated Authority for the month of June 2009. A list of current legal actions is also incorporated.

Background

A listing of Planning, Building and Environmental Health approvals and Orders issued by Council's Planning, Building and Environmental Health Services under Delegated Authority for the month of June 2009 are attached to this report. Further to Council request a listing of current legal actions is also attached to this report.

Consultation Nil

Statutory Implications

Town of Port Hedland Delegation Register 2005 outlines the limitations of delegated authority and requires a list of approvals made under it to be provided to Council. This report is prepared to ensure Council is advised of the details of applications which have been dealt with under delegated authority.

Policy Implications Nil

Strategic Planning Implications Nil

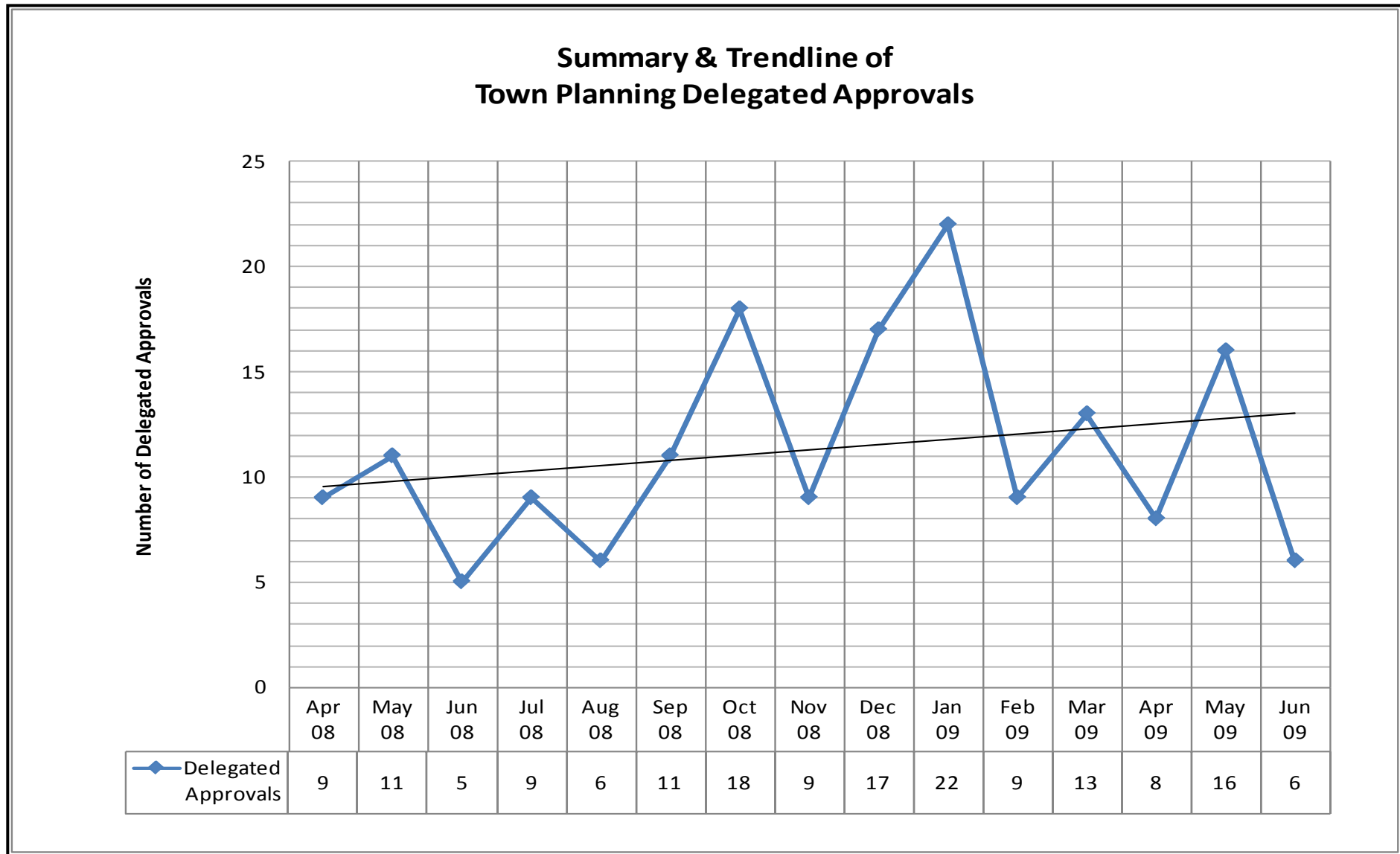
Budget Implications Nil

Officer's Comment

DELEGATED PLANNING APPROVALS FOR JUNE 2009

| PLANNING APPROVALS | | | | | | |
|--------------------|------------------|-----------------|--|---------------------------------------|--------------------------------------|--------------------------|
| Application Number | Application Date | Date Determined | Description | Address | Applicants Name | Owners Name |
| 2008/175 | 05/06/2008 | 26/06/2009 | SHOP - CONVENIENCE STORE & WALK IN BOTTLESHOP | 5 TRIG STREET WEDGEFIELD | TW CASSIDY PTY LTD | TERRENCE WILLIAM CASSIDY |
| 2009/72 | 19/02/2009 | 08/06/2009 | SINGLE HOUSE - R CODE VARIATION - SHED ADDITION 12M X 6M X 3M - EXCEEDS AREA OF 60SQM AT 72SQM AND WALL HEIGHT OF 2.4M AT 3M | 18 TRUMPET WAY SOUTH HEDLAND | PHILIP MACRAE | PHILIP MACRAE |
| 2009/102 | 09/03/2009 | 30/06/2009 | HOME OCCUPATION - Internet Sales | 22 ORIOLE WAY SOUTH HEDLAND | Siti Arifin | ABU-HANI KALTU ADELEY |
| 2009/201 | 29/04/2009 | 30/06/2009 | HOME OCCUPATION - Beauty Therapy | 7 ANDERSON STREET PORT HEDLAND | Ashlee Joan Forbes | MICHAEL BRIAN FORBES |
| 2009/206 | 30/04/2009 | 26/06/2009 | GROUPED DWELLING - 2 X 2 BEDROOM DWELLINGS | 6 HAWKINS STREET SOUTH HEDLAND | FRANCO CAROZZI ARCHITECTS PTY LTD | DEPARTMENT OF HOUSING |
| 2009/207 | 30/04/2009 | 05/06/2009 | GROUPED DWELLING - SHED ADDITION | UNIT 6/1 BROWN PLACE SOUTH HEDLAND | BRENDAN VALENTINE | BROOKE GABLIKIS |

PLANNING APPROVALS SUMMARY



DELEGATED BUILDING APPROVALS FOR JUNE 2009

| BUILDING LICENCES | | | | | | |
|--------------------------|---|---------------------------|---|--|---------------------------------|--------------------------------|
| Licence Number | Decision Date | Locality | Description of Work | Estimated Construction Value (\$) | Floor area square metres | Building Classification |
| 80549 | 08.06.2009 | SOUTH HEDLAND | Outbuilding | \$3,500 | 9 | Class 10a |
| 80551 | 10.06.2009 | SOUTH HEDLAND | Outbuilding | \$18,000 | 72 | Class 10a |
| 80552 | 18.06.2009 | SOUTH HEDLAND | Carpot & Patio | \$18,000 | 92 | Class 10a |
| 80556 | 24.06.2009 | SOUTH HEDLAND | Outbuilding | \$1,400 | 3 | Class 10a |
| 80560 | 29.06.2009 | SOUTH HEDLAND | Outbuilding | \$2,000 | 9 | Class 10a |
| 80559 | 29.06.2009 | PORT HEDLAND | Patio | \$9,900 | 32 | Class 10a |
| 80547 | 04.06.2009 | PORT HEDLAND | 4 x Retaining Walls | \$68,244 | | Class 10b |
| 80557 | 24.06.2009 | SOUTH HEDLAND | Dwelling | \$289,175 | 121 | Class 1a |
| 80548 | 08.06.2009 | PORT HEDLAND | Dwelling | \$365,060 | 184 | Class 1a |
| 80555 | 23.06.2009 | SOUTH HEDLAND | Dwelling | \$311,681 | 192 | Class 1a |
| 80561 | 29.06.2009 | SOUTH HEDLAND | Dwelling | \$342,585 | 161 | Class 1a |
| 80553 | 19.06.2009 | PORT HEDLAND AREA | Rail Construction Camp (Associated Building) | \$19,618,457 | 5803 | Class 1b |
| 80554 | 22.06.2009 | PORT HEDLAND AIRPORT AREA | TWA -Temp' Kitchen Diner - Office - Ablutions | \$22,000,000 | 6305 | Class 1b,5,6,9b |
| 80558 | 24.06.2009 | PORT HEDLAND AIRPORT AREA | TWA Stage 1b - Slab and Footings Only | \$3,000,000 | 4202 | Class 3 |
| 82006 | 09.06.2009 | PORT HEDLAND AREA | Administration Building and Workshop | \$23,998,147 | 2400 | Class 5 |
| 80562 | 30.06.2009 | SOUTH HEDLAND | Shop Fitout | \$100,000 | 100 | Class 6 |
| 16 | TOTAL ESTIMATED CONSTRUCTION VALUE | | | \$70,146,149 | | |

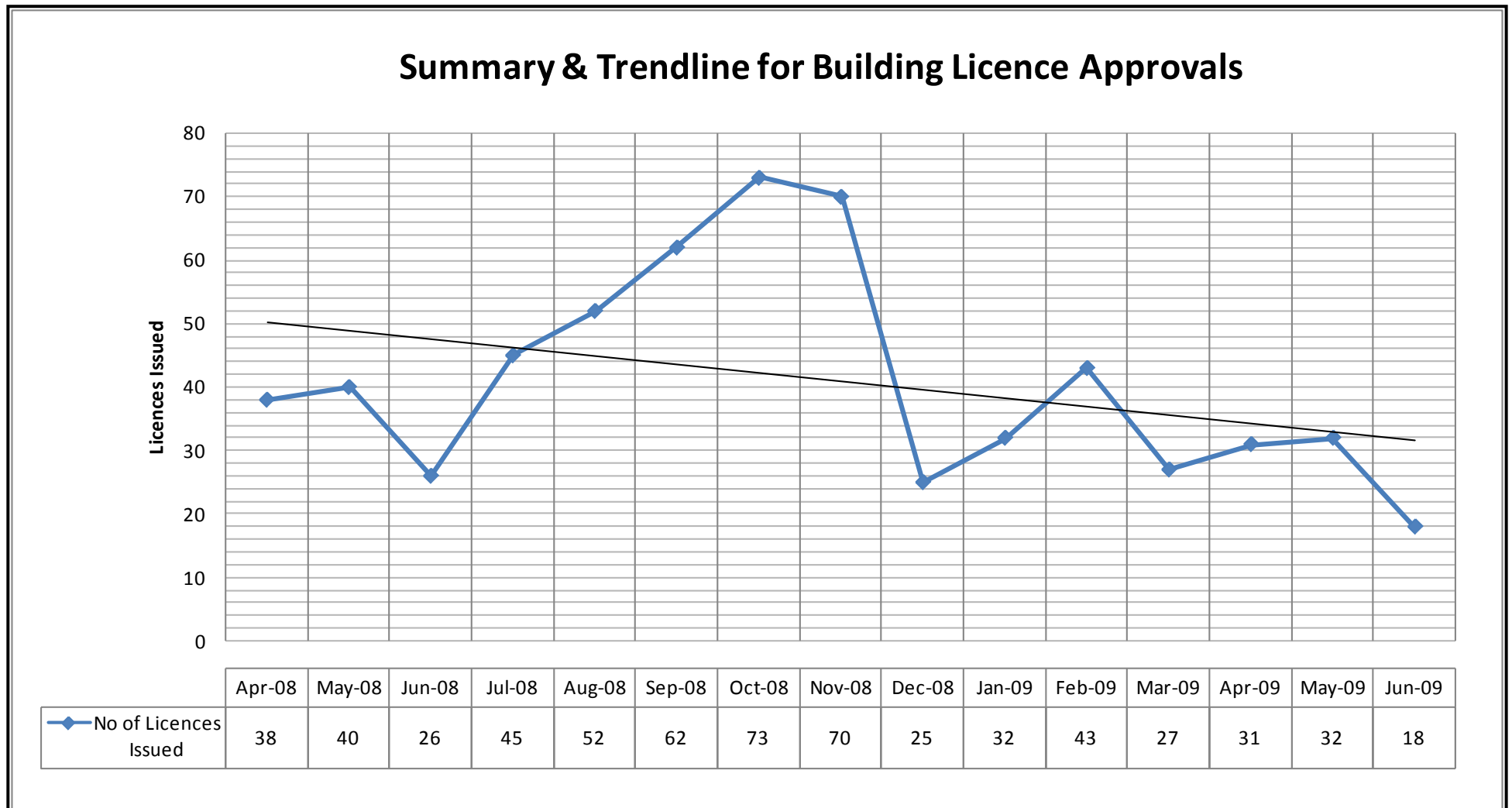
DELEGATED BUILDING APPROVALS FOR MAY 2009

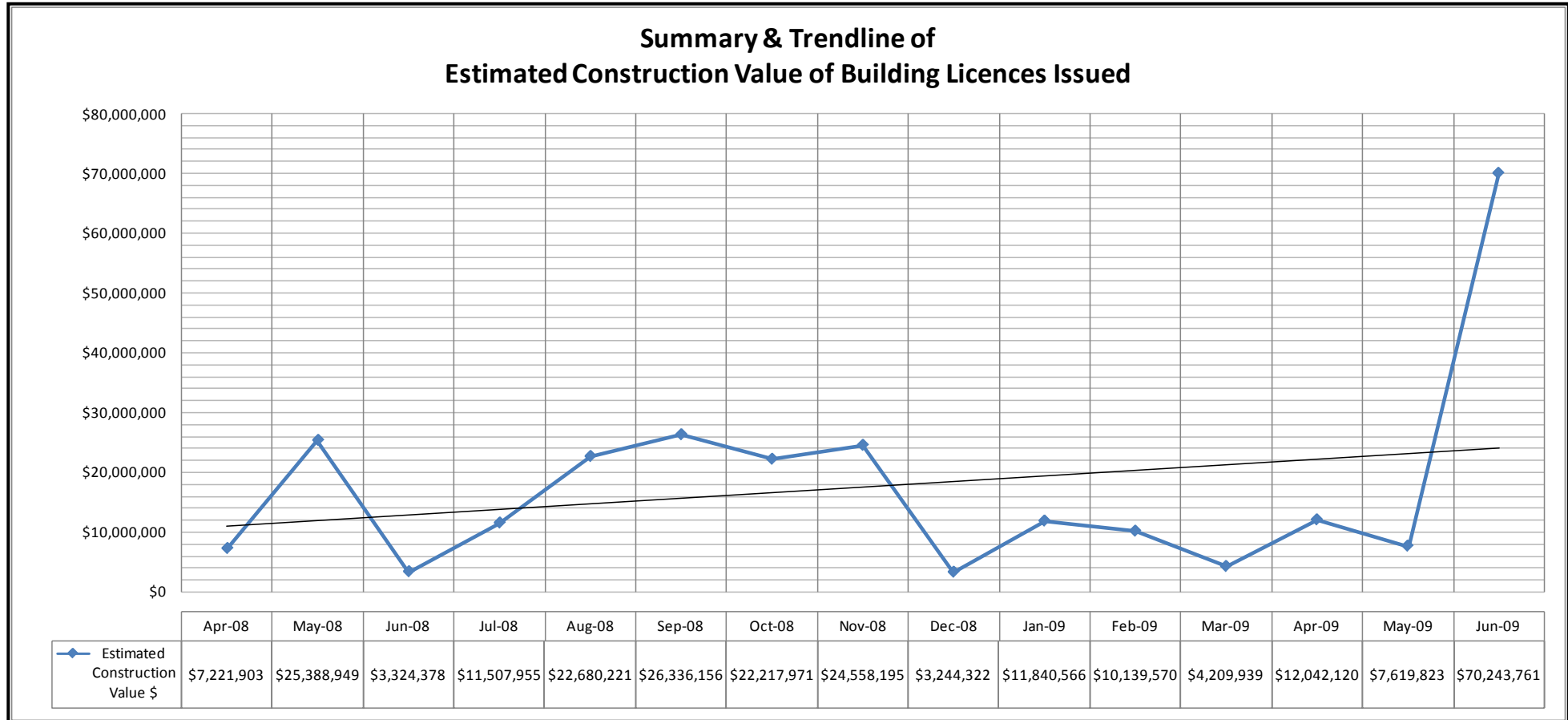
| DEMOLITION LICENCES | | | | |
|----------------------------|----------------------|-----------------|----------------------------|--|
| Licence Number | Approval Date | Locality | Description of Work | Estimated Construction Value (\$) |
| 83038 | 10.06.2009 | WEDGEFIELD | 1 X CARETAKER RESIDENCE | \$12,612 |

| SIGN LICENCES | | | | |
|-----------------------|----------------------|-----------------|----------------------------|--|
| Licence Number | Approval Date | Locality | Description of Work | Estimated Construction Value (\$) |
| 80550 | 10.06.2009 | PORT HEDLAND | 2 X NEW PYLON SIGN | \$85,000 |

| SUMMARY | | | | |
|---------------------------|---------------------|-------------------------------------|------------------------------------|--------------------------------------|
| Number of Licences | Licence Type | Estimated Construction Value | Floor Area in square metres | Average cost per square metre |
| 1 | Demolitions | \$12,612 | | |
| 4 | Dwellings | \$1,308,501 | 658 | \$1,989 |
| 6 | Class 10a | \$52,800 | 217 | \$243 |
| 1 | Class 10b | \$68,244 | | |
| 5 | Commercial | \$68,716,604 | 18810 | \$3,653 |
| 1 | Other | \$85,000 | | |
| 18 | | \$70,243,761 | | |

DELEGATED BUILDING APPROVALS SUMMARY





DELEGATED ENVIRONMENTAL ORDERS FOR JUNE 2009

| Current Health Orders under Delegated Authority by Environmental Health Services | |
|---|---|
| 30 Weaver Place, South Hedland (Fauntleroy/Mills) | Building Unfit for Human Habitation |
| 207a & 207b Athol Street, Port Hedland (I Yujnovich) | Health Notice to repair building. Mr Yujnovich has appealed the Health Order. A Directions Hearing with the State Administrative Tribunal was held on 25th June. SAT adjourned until 9/7/09 for further directions to allow a further inspection by a registered builder with comment from a structural engineer to ascertain recommendations for the buildings. Further action will need to be considered at the end of the SAT hearing if a satisfactory result cannot be achieved through the SAT process. |

CURRENT LEGAL MATTERS BEING UNDERTAKEN AS AT 30 JUNE 2009

| CURRENT LEGAL MATTERS | | | | | |
|-----------------------------------|---|--|-----------------------------|---|---------|
| File No. | Address | Issue | First Return Date | Current Status | Officer |
| WEDGEFIELD | | | | | |
| 121670G | Lot 3 Trig Street (J Yujnovich) | Non-compliance with planning conditions | ~ First return date 21/1/09 | ~ Court hearing date 14/4/09 ~ Adjourned until 25/5/09. ~ Adjourned to 6/7/09 ~ Listed for hearing 23/11/09 | MP |
| 803175G | Lot 1402 (34) Pinnacles Street (National Tyres) | Illegal Residential dongas and office | | ~ Instruction & Docs sent to Solicitors 15 April 09 ~ Further information required prior to prosecution notice to be filed/served. | MP |
| REDBANK | | | | | |
| 116750G | Lot 52 Redbank Road (Gravity Cranes) | Illegal use of the property for laydown area & repair of cranes & unauthorised buildings on site | ~ First Return date 28/4/09 | ~ Court hearing date 28/4/09 adjourned until 5/6/09. ~ Court hearing date 5/6/09 - plea of guilty. ~ Hearing date 20/7/09 for sentencing | MP |
| 116770G | Lot 134 Roche Road (Western Desert) | Illegal laydown area | ~ First Return date 21/1/09 | ~ Adjourned to 27/2/09 ~ Hearing on 27/2/09 adjourned to 28/4/09 ~ Adjourned until 29/5/09. ~ Court hearing date 29/5/09 adjourned until 6/7/09 ~ Entered into a plea to be heard 4/8/09 | MP |
| SOUTH HEDLAND RURAL ESTATE | | | | | |
| 154412G | Lot 2 (5-7) Quartz Quarry Road (Macpherson - Sunsaturn P/L t/as Pilbara Earthmoving) | Earth Moving business & repairs being operated from the property | ~ First return date 21/1/09 | ~ Adjourned to 27/2/09 (accused said warning letter not received) ~ Adjourned to 20/4/09 ~ Adjourned to 15/6/09 ~ Adjourned to 7/7/09 for plea ~ Listed for hearing 16/11/09 | MP |
| 154422G | Lot 11 (39 - 41) Greenfields Street (Outlook Contracting) | Illegal development and storage of heavy vehicles | ~ First return date 24/3/09 | ~ Adjourned until 11/8/09 | MP |
| SOUTH HEDLAND | | | | | |
| | Nil | | | | |
| PORT HEDLAND | | | | | |
| 400330G | 83 Athol Street (P Oldenhuis) | Health - Asbestos removal | ~ First Return date 25/2/09 | ~ No appearance by Mr Oldenhuis ~ Court hearing date 28/4/09 adjourned until 29/5/09. ~ Plea hearing date 13/7/09 ~ Trial set for 16/11/09 | MEH |

Attachments

Nil

200910/003 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That the Schedule of Planning, Building and Environmental Health approvals and Orders issued by Delegated Authority for the month of June 2009 be received.

CARRIED 9/0

11.2.2 Planning Services**11.2.2.1 Proposed Partial Road Closure – Pundul Avenue, South Hedland (File No.: 2009/157)**

Officer Luke Cervi
Planning Officer

Date of Report 7 July 2009

Disclosure of Interest by Officer Nil

Summary

Council has received a request from DPI on behalf of the landowner of 2 Pundul Avenue (Lot 132 on DP 57676) to close approximately 108m² of road adjoining the southern boundary of 2 Pundul Avenue. This land would be incorporated into lot 132 DP 57676 (see attachment 1).

Background

The owner of 2 Pundul Avenue has applied for approval to construct grouped dwellings on that land (see attachment 3). The closing of this portion of Pundul Avenue adjacent to the southern boundary of the proposed development lot will increase the developable area and is likely to provide better access and development opportunities.

Consultation

Consultation with Council's Engineering Department has been undertaken and no concerns or objections raised.

Statutory Implications

Section 58 of the *Land Administration Act 1997* and regulation 9 of the *Land Administration Regulations 1998* establish the procedure for closing a road.

The subsequent sale of the Crown land is undertaken by State Land Services on behalf of the Minister in accordance with Part 6 of the *Land Administration Act 1997*.

The Town of Port Hedland Delegation 40 (12) states:

"The Director Regulatory and Community Services may forward Road Closure Applications direct to the Department of Land Administration in the event of:

- (i) *there being no comment received during the statutory advertising period; and*
- (ii) *the proposal being of an uncontentious nature.”*

The date of Council's adoption of the Road Closure Action following conclusion of the advertising period shall be the date of the next Council Ordinary Meeting

Policy Implications

Nil

Strategic Planning Implications

The following sections of the Plan for the Future 2008-2013 are relevant to the proposal:

Key Result Area 1 – Infrastructure

Goal Number 1 – Roads, Footpaths and Drainage

Strategy 1 – Ensure that Council's core community infrastructure assets are being managed appropriately through the implementation of the following Council Five-Year programs:

- Footpath development program
- Resealing Program
- Kerb development/replacement program
- Drainage upgrade program
- Playground upgrade program

Key Result Area 4 – Economic Development

Goal Number 4 – Land Development Projects

Strategy 3 – Work with DPI to identify additional crown land that can be released for development in a timely manner.

Budget Implications

Nil.

Officer's Comment

The section of Pundul Avenue proposed to be closed is not required for public purposes and does not provide frontage or access to any lot other than the land it is proposed to be incorporated with. Pundul Avenue will remain a through road.

The portion of road to be closed would increase the size of 2 Pundul Street which in turn would increase the development opportunities available to it. Prior to the portion of closed road being developed the land will need to be rezoned to residential as it is currently identified as 'Local Road' reservation under the TPS 5.

Due to the large number of road closures and rezonings that are likely to result from the Land Rationalisation Plan, officer's are investigating opportunities to simplify the rezoning process for these lands. It is envisaged that a report will be presented to Council in the coming months.

The owner of 2 Pundul Street has submitted an application for approval to construct grouped dwellings. The increased area of the lot which would result with this road closure will enable a better grouped dwelling outcome to be negotiated.

Options

Council has the following options for responding to the request:

- 1) Support the request for closure of part of the Pundul Avenue Road Reserve.
- 2) Reject the request for closure of part of the Pundul Avenue Road Reserve.

It is recommended that Council support the closure of part of the Pundul Avenue Road Reserve.

Attachments

1. Aerial Photograph
2. Site Plan
3. Proposed Development Plan

200910/004 Council Decision/Officer's Recommendation

Moved: Cr K A Howlett

Seconded: Cr A A Gear

That Council:

- i) Advise the applicant it supports the closure of that part of Pundul Avenue Road Reserve adjacent to Lot 132 and shown in red on Attachment 2 subject to the land being rezoned and incorporated into Lot 132.
- ii) In accordance with the Land Administration Act 1997 and Land Administration Regulations 1998, request the Department for Planning and Infrastructure – State Land Services to close that part of Pundul Avenue Road Reserve shown in red on Attachment 2.

CARRIED 9/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.1

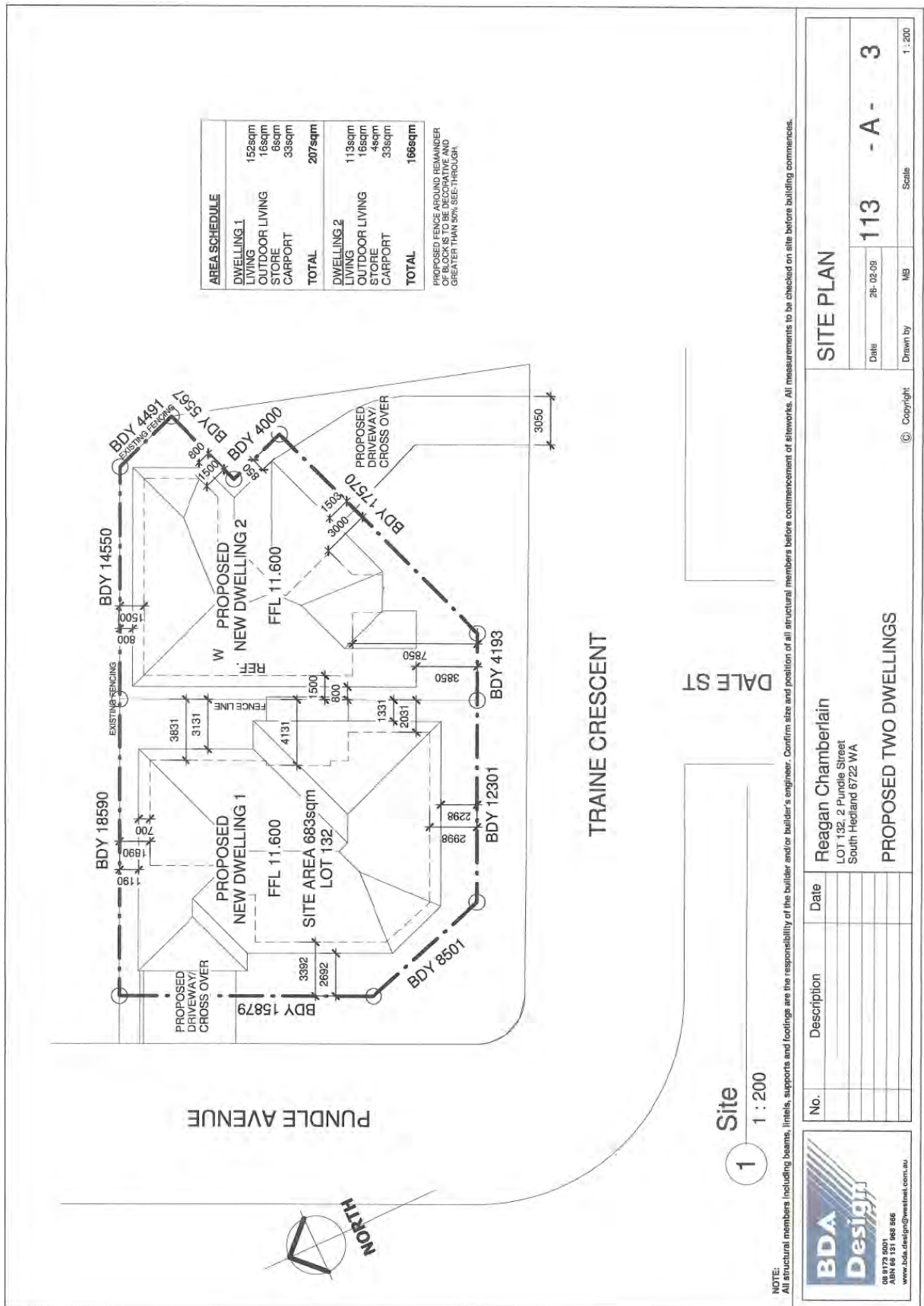




ATTACHMENT 2 TO AGENDA ITEM 11.2.2.1



ATTACHMENT 3 TO AGENDA ITEM 11.2.2.1



Site 1 : 200

NOTE: All structural members including beams, lintels, supports and footings are the responsibility of the builder and/or builder's engineer. Confirm size and position of all structural members before commencement of site works. All measurements to be checked on site before building commences.

| | | | | | |
|--|-------------|---|--------------------|-------------------------|---------|
|  <p>08 979 2000 Fax 846 846 www.bda.design@westnet.com.au</p> | | <p>PROPOSED TWO DWELLINGS</p> <p>Reagan Chamberlain LOT 132, 2 Pundle Street South Hedland 6722 WA</p> | | <p>SITE PLAN</p> | |
| No. | Description | Date | <p>113 - A - 3</p> | | |
| | | | Date | 26-02-09 | MB |
| | | | Drawn by | MB | Scale |
| | | | | | 1 : 200 |

6:36 pm Councillor G D Bussell declared an impartiality interest in Agenda Item 11.2.2.2. 'Proposed Change of Use – Single House to Offices and Construction of a Shed [6.2m x 7.6m x 3m (47m²)] Lot 2666 (13) Limpet Crescent South Hedland. He disclosed that he has an association with the applicant and that as a consequence, there may be a perception that his impartiality on the matter may be affected. Cr Daccache declared that he will consider this matter on its merits and vote accordingly.

Councillor G D Bussell did not leave the room.

6:36 pm Councillor A A Gear declared an impartiality interest in Agenda Item 11.2.2.2. 'Proposed Change of Use – Single House to Offices and Construction of a Shed [6.2m x 7.6m x 3m (47m²)] Lot 2666 (13) Limpet Crescent South Hedland. He disclosed that he has an association with the applicant and that as a consequence, there may be a perception that his impartiality on the matter may be affected. Cr Daccache declared that he will consider this matter on its merits and vote accordingly.

Councillor A A Gear did not leave the room.

11.2.2.2 Proposed Change of Use – Single House to Offices and Construction of a Shed [6.2m x 7.6m x 3m (47m²)] Lot 2666 (13) Limpet Crescent South Hedland (File No.: 100540G)

| | |
|--|----------------------------------|
| Officer | Leonard Long Planning Officer |
| Application No. | 2008/441 |
| Date of Report | 4 May 2009 |
| Disclosure of Interest by Officer | Nil |

Summary

An application was received from Messrs Kalka Nyiyaparli Aboriginal Corporation, for the change of use from a “Single House” to “Office”, as well as the construction of a shed (6.2m x 7.6m x 3m) on Lot 2666 (13) Limpet Crescent, South Hedland.

The application is put before Council, as from a town planning point of view the proposed change of use could be detrimental to the character and amenity of the residential area, and is being recommended for refusal with the option of allowing the use to operate as previously approved as a “Home Occupation”.

Background

The Site

The site is included in the Residential zone under the Town of Port Hedland Town Planning Scheme No. 5 (TPS5), and measures 736m² in extent. The surrounding lots all fall within the same zone.

The lot is currently developed with a single house which has been renovated internally to allow the building to be used for office purposes. In addition to the residential building a previously approved demountable building “games room” is located in the front of the lot.

From Council records it has been ascertained that the Kalka Nyiyaparli Aboriginal Corporation, has been operating from the site as a “Home Occupation” since 2004, although the home occupation has expired.

The Proposal

The applicant Kalka Nyiyaparli Aboriginal Corporation has proposed that the single house be converted to an office with one of the bedrooms being retained for the caretaker of the property.

The existing demountable building will be converted to include ablution facilities for their workers to tidy up prior to and on return from the various work sites.

In addition, the corporation proposes to construct a shed (6.2m x 7.6m x 3m), which would serve a dual purpose. Primarily the shed will be used to store the corporations vehicles and equipment, secondly the shed will be used by the caretaker to make authentic boomerangs as a hobby.

A copy of the justification/explanation is attached as Attachment 1.

Consultation

As required by the Town of Port Hedland Scheme No. 5 the proposal was advertised to all the surrounding property owners in order to obtain their comments or to ascertain if they have any objection to the proposed change of use.

At the close of the comment / objection period no comments or objections were received.

Statutory Implications

In accordance with the *Planning and Development Act 2005*, the proposed use is subject to the provisions of the Port Hedland Town Planning Scheme No. 5.

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 4 – Economic Development

CRITICAL SUCCESS STRATEGIES

4. The development of Council policies and / or business incentives that assist in attracting and retaining businesses within the Town.

Budget Implications

An application fee of \$117 was paid on lodgment and deposited into account 1006326 – Town Planning Fees. The application is however, for a change of use, and the applicable application fee for such an application is \$235, leaving an additional \$118.

Officer's Comment

Use

Notwithstanding that the Port Hedland Town Planning Scheme permits an office use within a residential area as a "SA" use, such uses should be limited to areas where the residential character and amenity has been negatively affected by various aspects i.e. noise generated by traffic and non residential uses.

The area in which the office is proposed is located within a residential area, where the character and amenity has not been negatively compromised. However, by allowing the change of use as applied for, may change this as it would created a precedent for further such requests with residential areas which would ultimately lead to the decay in the character and amenity of such residential areas. Non-residential uses such as proposed are more suited along major arterial roads where the quality of residential life may be negatively affected due to the traffic noise generated by the arterials.

Location

The lot is located within a well established residential area, which has not been affected by non-residential uses. The existing road network has been designed for residential uses and should non-residential uses begin to creep into the area the road network may be negatively impacted.

In addition hereto the lot on which the use is proposed is not able to comply with the basic development controls i.e. parking. The lot is too small to allow for the required amount of parking and maneuvering area to be provided on the site as per the Town Planning Scheme No 5 requirements.

Amenity

Although it is recognized that the existing building which is proposed to be used for offices will retain the character of a residential building and would not affect the amenity, it is the use of the building which is of concern.

The applicant has indicated that most of the employers "*prefer to pick up and drop off the workers at a given point*". It would therefore, be reasonable to assume that given the fact that the application includes the renovation of the existing demountable building to allow for ablution facilities that the workers will be dropped off and collected at the property. In this regard the applicant has indicated that, "*any given week we have up to two teams of six men working*", this would result in an increase of non-residential traffic within a residential zone.

This would further be compounded by the quarterly and bi-annual meetings that would be held at the property. While it is accepted that not all members will arrive in separate vehicles, meetings of up to fifteen people would result in the parking of vehicles on the street verge which would create a traffic hazard and affect the traffic flow adversely.

Furthermore, the use with regard to the above mentioned meetings and resultant traffic may result in increased in noise levels within the area, thereby affecting the tranquility and ultimately the quality of the residential area.

In light of the above it is evident that the change of use from "Residential" to "Office" would result in a negative impact on the amenity of the residential area and may result in a precedent being created for further approvals being sought within residential areas.

However, it is recognized that the Karlka Nyiyaparki Aboriginal Corporation has been operating from the property since 2002, and it is therefore recommended that Council permits the continued use of the lot for a "Home Occupation" as long as such use remains in line with the definition and requirements of the Port Hedland Town Planning Scheme No 5, and that Council permits the construction of the proposed shed.

In recognition of the above, the following recommendation should be adopted:

"That Council

- i) **REFUSES** the application for the change of Use – "Single House" to "Offices" pertaining to Lot 2666 (13) Limpet Crescent South Hedland, for the following reason:*
 - a) The proposed change of use from "Residential" to "Office" would have a detrimental effect on the amenity and character of the residential area,*
 - b) The proposed change of use from "Residential" to "Office" would have a negative impact on the traffic safety and traffic flow within the area.*
- ii) Advises the applicant that on receipt of the appropriate application being submitted to the satisfaction of the Manager Planning support an application for "Home Occupation" (offices) and Shed (6.2m x 7.6m x 3m) subject to conditions."*

Attachments

- 1 Applicant's Justification/Explanation.

- 2 Shed diagrams
- 3 Locality

200910/005 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That Council:

- i) REFUSES the application for the change of Use – “Single House” to “Offices” pertaining to Lot 2666 (13) Limpet Crescent South Hedland, for the following reason:
 - a) **The proposed change of use from “Residential” to “Office” would have a detrimental effect on the amenity and character of the residential area,**
 - b) **The proposed change of use from “Residential” to “Office” would have a negative impact on the traffic safety and traffic flow within the area.**
- ii) Advises the applicant that on receipt of the appropriate application being submitted to the satisfaction of the Manager Planning support an application for “Home Occupation” (offices) and Shed (6.2m x 7.6m x 3m) subject to conditions.

CARRIED 9/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.2

ATTACHMENT 1 $\frac{1}{3}$ 

KARLKA NYIYAPARLI ABORIGINAL CORPORATION

ABN: 28 295 487 837

13 Limpet Crescent, PO Box 2161, South Hedland WA 6722

Phone: (08) 91723644 Mobile: 0418 900 215

Fax: (08) 91723655

Email: karlka@westnet.com.au

Mr Richard Bairstow
Manager Planning
P O Box 41
PORT HEDLAND WA 6722

24th February 2009

Dear Richard

**RE: APPLICATION FOR PLANNING APPROVAL APPLICATION
NUMBER: 2008/441**

**LOCATION: LOT 2666 13 LIMPET CRESCENT SOUTH HEDLAND 6722
DESCRIPTION SINGLE HOUSE –R-CODE VARIATION –Nil setback for
shed and exceeds 2.7m average height – toilet & shower addition (outside)**

Further to your recent inspection early February 2009 of 13 Limpet Crescent and meeting with Mr Leonard Long and yourself at the shire offices regarding the type of business conducted by Karlka Nyiyaparli Aboriginal Corporation.

Karlka Nyiyaparli Aboriginal Corporation is a charitable institution set up to help disadvantaged members and provide employment when possible for members. Karlka Nyiyaparli Aboriginal Corporation is also the prescribed body corporate (see constitution enclosed) for the Native Title Federal Court No - WG6280/98. The tribunal file no is WC99/4. This was filed in the Federal Court on the 31/3/1999 and is a registered claim waiting for Native Title to be determined.

One of our functions is to organise Heritage surveys for several of the mining companies. The claim area covers 40,521 square k/m. Most mining companies that operate in the Pilbara, BHP Billiton, Fortescue Metals Group, Rio Tinto, Pilbara Iron and Hancock Prospecting plus many smaller companies need Heritage clearance which entails ethnographic clearance and archaeology clearance before exploration and drilling commences. As we are the registered claimants we are obligated to provide that service to prevent any hold-ups in the process.

Because of the service that we offer to the mining companies and each one has a different procedure, most prefer to pick up and drop off the workers at a given point. We employ over eighty Nyiyaparli men on a casual basis. In any given week we have up to two teams of six men working. Some of these young men have never worked before. Karlka's responsibility entails all aspects of safety (including protective clothing - boots shirts hats etc.). They are picked up by archaeologists, anthropologists and company employees and we need to ensure that the workers have showered and are suitably attired for the task. The times of pick up and drop off are varied. Some of these young men come from Onslow, Roebourne, Jigalong, Yandyarra and Warralong. These young men need to come into town the night before they are to be picked up and to be ready for work in the morning. Hence the outside toilets and showers as the office is locked at times for security reasons. (There will be up to 6,000 documents stored that relate to our native title determination). These documents can never be replaced so the security and shutters are to protect all our documents pertaining to the native title.

The office (house) is used for daily operation of the business, business meetings and training sessions for our employees as well as a safe secure place to store our office equipment, records and documentation.

Each quarter we have a directors meeting. It entails an all day meeting from 9am to 4 pm. Directors and elders make up twelve and sometimes there are small children and observers, maximum being fourteen to fifteen. These meeting are held indoors. Twice a year we have a members meeting again from 9 am to 4 pm and we could have up to forty people. These meeting will be held in the yard at the rear of the building. On any given day we may have up to three office employees including myself plus an accountant for four hours a month. This will mean that there will be two to three vehicles which can park inside the premises. We also have two work vehicles that are parked on the premises. There will be on occasion other cars parked at the front and opposite 13 Limpet. This has been happening over the last five years and to my knowledge there have been no complaints. Employees coming from the communities to work park their cars inside the grounds while they are away on the surveys.

At different times through out the year BHP, Rio Tinto and FMG will be conducting training sessions for up to ten employees (ten being the maximum). These classes run for a maximum of three days and will be held in the office conference room.

SHED AT REAR

The shed at the rear of the property will be lockable and will store our equipment. Our equipment will include four wheel heavy duty trailer, cement mixer, and a variety of hand tools, fencing material and safety equipment. The tools and equipment are used extensively to fence off sites of significance that are located in our native title claim. These sites need to be protected from mining employees and exploration teams. Also one of our elders makes boomerangs and that activity will also occur in the shed.

CARETAKER

There will be a caretaker, an elder of the Nyiyaparli language group who will live on the premises at times when he is not on the surveys or at negotiation business meetings.

We have a policy in place that no alcohol will be brought into or consumed at the premises.

Please find enclosed

1. Copy of the constitution
2. Certificate of incorporation
3. Map of the claimed area
4. Claimant application summary
5. Copy of previous letter to the shire dated 27th Nov. 2008

Yours faithfully



Ross Norling
Executive Officer
Karlka Nyiyaparli Aboriginal Corporation

ATTACHMENT 2 TO AGENDA ITEM 11.2.2.2

13 Limpet
 ATTACHMENT 2
 EXISTING HOUSE

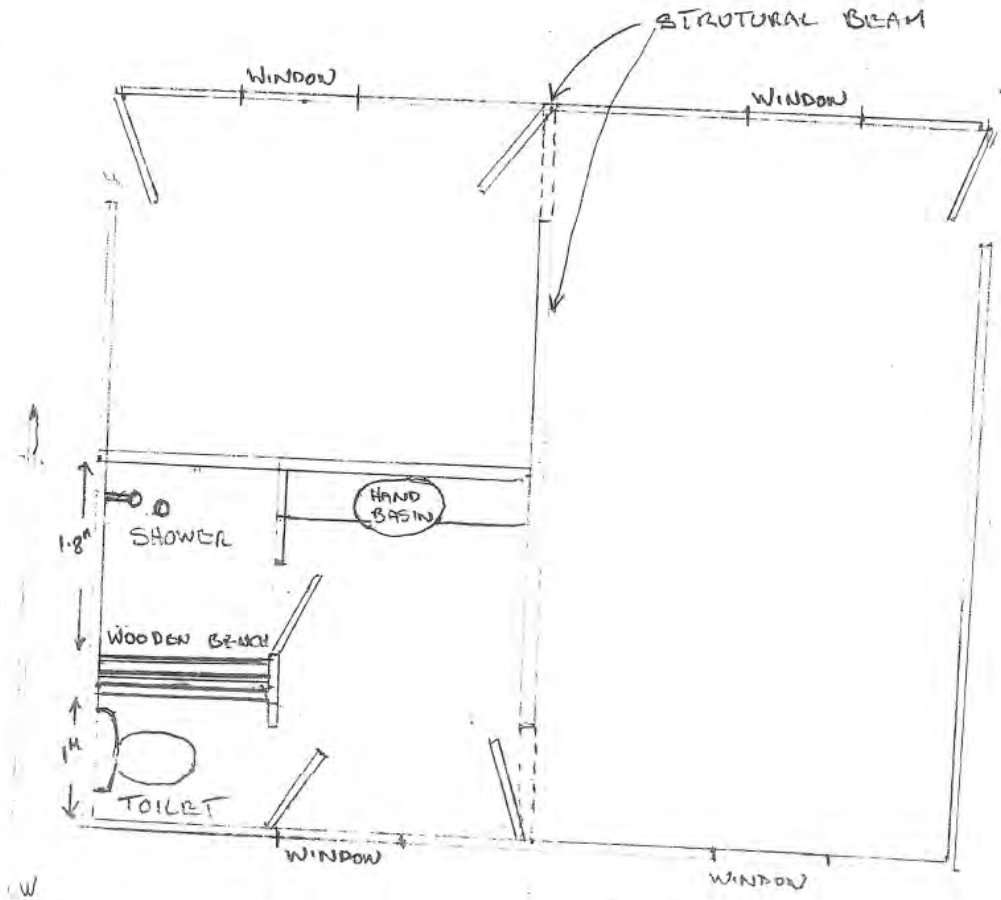
TOWN OF PORT HEDLAND

SCALE INTENDED PLANS

Date 26/03/09
 1 MET = 2 CM

PROPERTY BOUNDARY

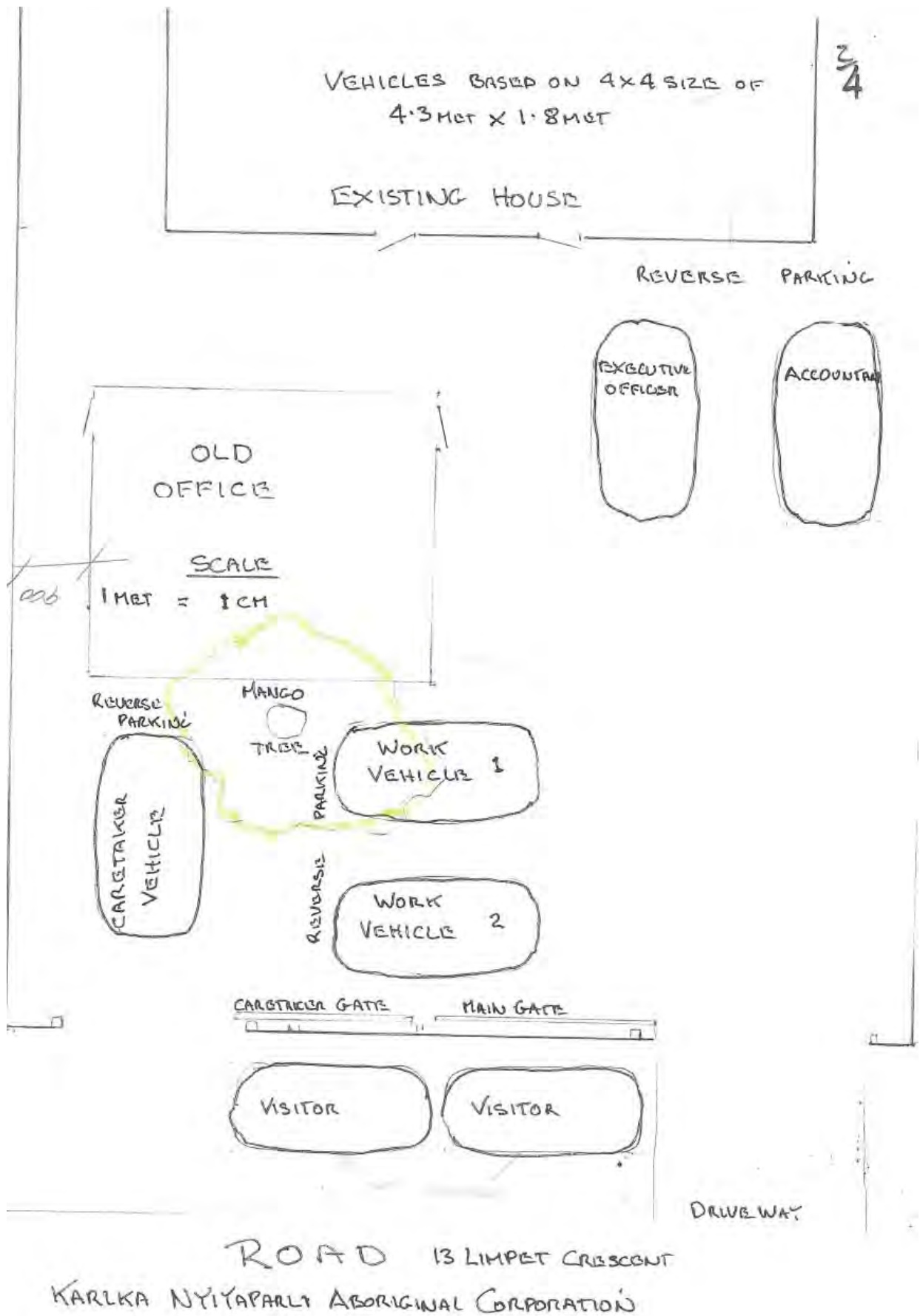
SEWERAGE



WATER

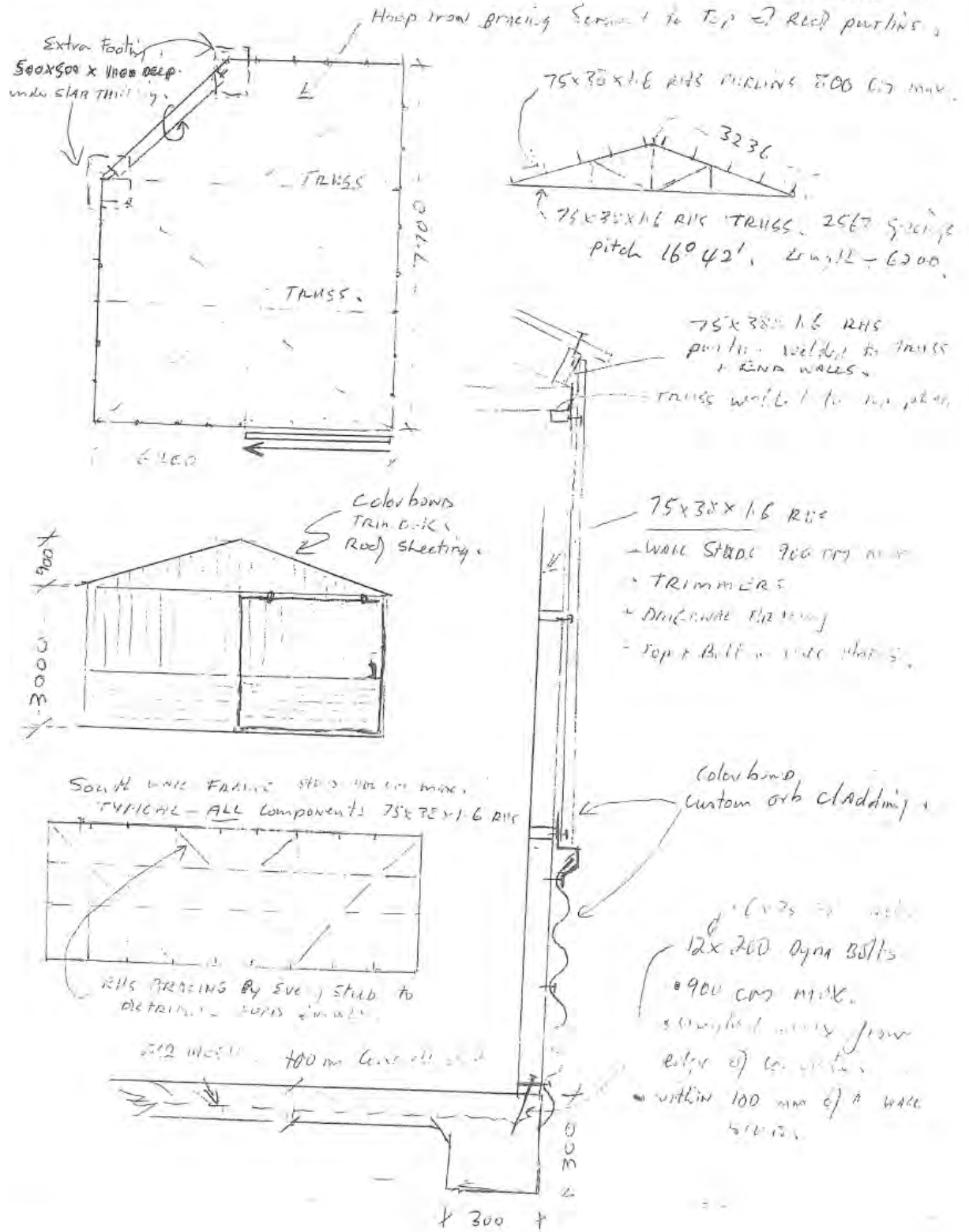


FRONT OF
 PROPERTY
 13 LIMPET CORNER



PROPOSED: 15 HAMPDEN CRT South Island
 Kim Suter 0429988662

3/4



ATTACHMENT 3 TO AGENDA ITEM 11.2.2.2



11.2.2.3 Proposed Amendment to the Town of Port Hedland Town Planning Scheme No. 5 – Scheme Amendment 21, Lots 250, 251 and 252 Rutherford Road (previously Lots 501, 502 and 503 Murdoch Drive), South Hedland from “Residential R – 20” to “Residential R – 30”. (File No.: 18/09/0028)

| | |
|--|----------------------------------|
| Officer | Leonard Long Planning Officer |
| Date of Report | 9 July 2009 |
| Application No. | 2008/349 |
| Disclosure of Interest by Officer | Nil |

Summary

Council at its Ordinary Meeting held on 22 October 2008, resolved to initiate an amendment to the Town of Port Hedland Town Planning Scheme No. 5, through Scheme Amendment 21, by the rezoning of Lots 501, 502 and 503 Murdoch Drive, (now known as Lots 250, 251 and 252 Rutherford Road), South Hedland from an existing zoning of “Residential R – 20” to “Residential R -30).

The application was forwarded to the Environmental Protection Authority (EPA), and has also been advertised in accordance with the relevant legislation.

The amendment scheme is now submitted to Council to consider adopting Amendment Scheme 21, and to submit the amendment to the Western Australian Planning Commission (WAPC) for final approval.

Background

The applicant for this proposal, Whelans Town Planners, are acting on behalf of Haulmore Trailer Sales Pty Ltd, Keyland Investments Pty Ltd and Kim Metcalf.

The subject application comprises of three lots; Lots 501, 502 and 503 Murdoch Drive, South Hedland, and measure 1,689m², 1,514m² and 1,020m² respectively. All three lots are located on the northern side of Murdoch Drive, South Hedland.

The applicant has proposed to up-code the existing zoning of Lots 501, 502 and 503 in order to align the zoning with Lots 3859, 3860 and 3861, ensuring that the amalgamated lots only have one R – coding.

The deposit plan for the amalgamation has been compiled and the new lots numbers are, Lots 250, 251 and 252.

Consultation

In accordance with the Town Planning Regulation 1967, the proposed scheme amendment has been advertised and circulated as follows:

1. North West Telegraph – 24/06/2009
01/07/2009
08/07/2009
2. Written notification to - Water Corporation
Telstra
Horizon Power

As a result of the above the following submissions have been received:

Telstra – *“Telstra has no negative comment to make.”*

Water Corporation – *“With respect to the proposed Town Planning Scheme Amendment above, the Water Corporation has no objection to the above amendment in principle.”*

Statutory Implications

- Council is able to amend the Town Planning Scheme pursuant to part 5 of the Planning and Development Act 2005 (as amended)
- The Town Planning Regulations 1967 establish the procedure required to amend a Town Planning Scheme.

Policy Implications

Nil.

Strategic Planning Implications

Nil.

Budget Implications

The applicant has paid \$1,650.00 for the initiation of the amendment scheme.

Should Council resolve to adopt the amendment, the applicant will be invoiced for \$1,650.00 as per Councils adopted Fees and Charges.

Officer's Comment

The adoption of the amendment scheme will lead to a more structured and logical approach to development of the lots.

Attachments

Proposed Amendment Site Plans

200910/006 Council Decision/Officer's Recommendation

Moved: Cr K A Howlett

Seconded: Cr G D Bussell

That Council:

- i) adopts Amendment 21, to Town Planning Scheme No. 5 without any modifications;
- ii) forwards the following Schedule of Submission and recommendations to the Western Australian Planning Commission for the Minister's consideration:

| Author | Address | Comment |
|-------------------|--------------|---|
| Telstra | Perth Office | No negative comment to make. |
| Water Corporation | Perth Office | Water Corporation has no objection to the above amendment in principle. |

and

- iii) the Mayor and Chief Executive Officer be authorised to execute three (3) copies of the amendment documents in accordance with the *Town Planning Regulations 1967* (as amended), including the fixing of the Council's seal in the event that the Minister for Planning and Infrastructure approves the Amendment without modification.

CARRIED 9/0

ATTACHMENT TO AGENDA ITEM 11.2.2.3



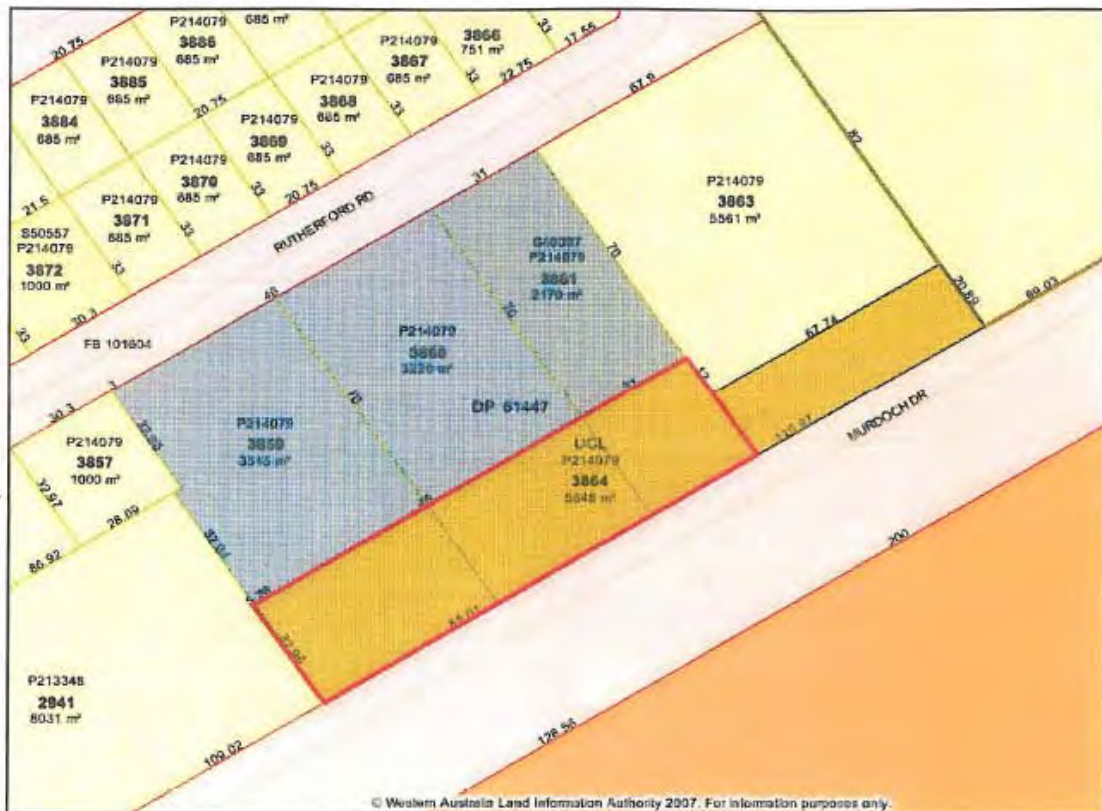


Figure 2: Previous Cadastre (Source: Landgate)

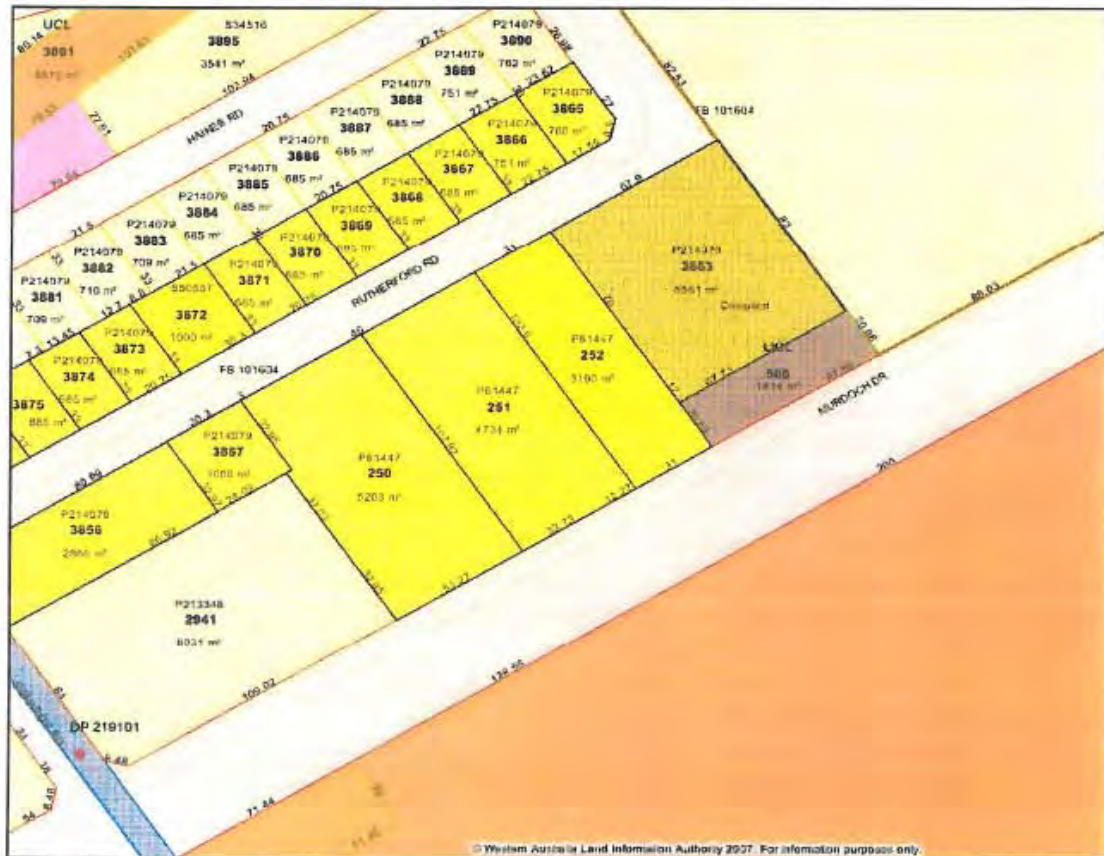


Figure 3: Current Cadastre (Source: Landgate)

*11.2.2.4 Proposed Pylon Signs – South Hedland Town Centre
– Various Locations (File No.: 2009/157)*

| | |
|--|----------------------------------|
| Officer | Luke Cervi Planning Officer |
| Date of Report | 14 July 2009 |
| Application No's | 2009/294, 2009/295 & 2009/296 |
| Disclosure of Interest by Officer | Nil |

Summary

Council has received a request from LandCorp to erect three (3) pylon signs within the South Hedland Town Centre. The signs will provide information and marketing relating to the redevelopment and improvements being undertaken within the Town Centre.

This item is referred to Council for determination as it is a 'Use not listed' within the TPS 5 and the signs do not comply with all provisions of Council's "Signs, Hoardings and Bill Posting" Local Law.

Background

The New Living project is an initiative of the Department for Housing & Works that involves numerous urban renewal projects focused on revitalising the South Hedland Town Centre.

Consultation

Consultation with Council's Engineering and Building Departments has been undertaken and no concerns or objections were raised. A Building Licence will be required.

Statutory Implications

'Advertising' is a Use not Listed within the TPS 5 Zoning table. As such Section 3.2.6 of the Scheme is relevant:

"If the development of land for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be included in the definition of one of the development categories the Council may determine:

- a) That the development or use is not consistent with the objectives and purposes of the particular zone or precinct and is, therefore, not permitted, or*
- b) By absolute majority that the proposed development may be consistent with the objectives and purposes of the zone and an*

application for planning approval should be determined in accordance with Part IV, including the advertising procedures of clause 4.3.”

In addition, Council's "Signs, Hoardings and Bill Postings" Local Law applies to the proposal and a number of areas of potential conflict with the Local Law are proposed.

Policy Implications

Nil

Strategic Planning Implications

The following sections of the Plan for the Future 2008-2013 are relevant to the proposal:

Key Result Area 2 – Community Pride

- To achieve the Council's Mission of making the Town a 'significant regional centre where people enjoy the lifestyle and natural environment and are proud to call home' Council needs to work closely with its residents to develop and enhance the level of pride that community member have in living in the Town. To achieve this Council is planning on focusing its efforts on addressing issues of litter reduction, the development of community events and the implementation of townscape development initiatives.

Budget Implications

Nil.

Officer's Comment

Signs, Hoardings and Bill Postings Local Law

The proposed signs best fit in the definition of 'Pylon Signs' under the Local Law. The applicant has sought a variation from the Local Law which is as follows:

“5.16.1(e) A sign supported on two or more piers or columns can be monolithic or shall remain open below the sign panel to a height of 2.75m above the ground immediately below it.”

The proposed signs are only 1.1m above ground level.

Other parts of the Local Law that are considered relevant to the proposal are:

“5.16.1(b)The Council may in the case of a shopping centre permit a sign up to 25m² on any face.”

The applications are not for a shopping centre but will promote the Town Centre in general. The Local Law otherwise restricts signs in general to 3m in width and 6m² in area. Each sign is 5.4m x 1.8m (9.72m²) and cover a combined 29.16m².

“5.16.2 For a single tenant site, only one pylon sign is permitted. For a multi tenant site, the Council may permit up to two composite pylon signs comprising equal sized infill panels for each tenancy and space for each shop or unit on the Lot.”

Although each site is only proposed to have one sign, three signs are proposed that would be providing information/marketing of the same project.

“5.16.3 Where the Council allows one or two composite pylon signs:

a) The total area of the face of the sign specified under Sub Clause 5.1.6.1(a) may be increase by up to fifty (50) percent to a maximum of 9m².”

Three signs are proposed, one each on three different sites.

Town Planning Scheme 5

Although defined within the TPS 5 'Advertisement' is not a listed use within the Zoning Table. As such Council must, by absolute majority, determine that the proposal is consistent with the objectives and purpose of the 'Town Centre' zone.

Options

Council has the following options for determining the applications:

1. Approve all of the applications with or without conditions.
2. Refuse all of the applications.
3. Approve or refuse each application individually.

It is recommended that Council approve all of the applications subject to conditions.

Attachments

1. Overall Site Plan
2. Location & Signage Detail Plans

200910/007 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That Council APPROVES the Planning Applications 2009/294, 2009/295 & 2009/296 being for USE NOT LISTED – Pylon Sign at Lot 309 65 Throssell Road, Lot 306 Colebatch Way and Lot 6055 104 Forrest Circle, South Hedland, subject to the following conditions:

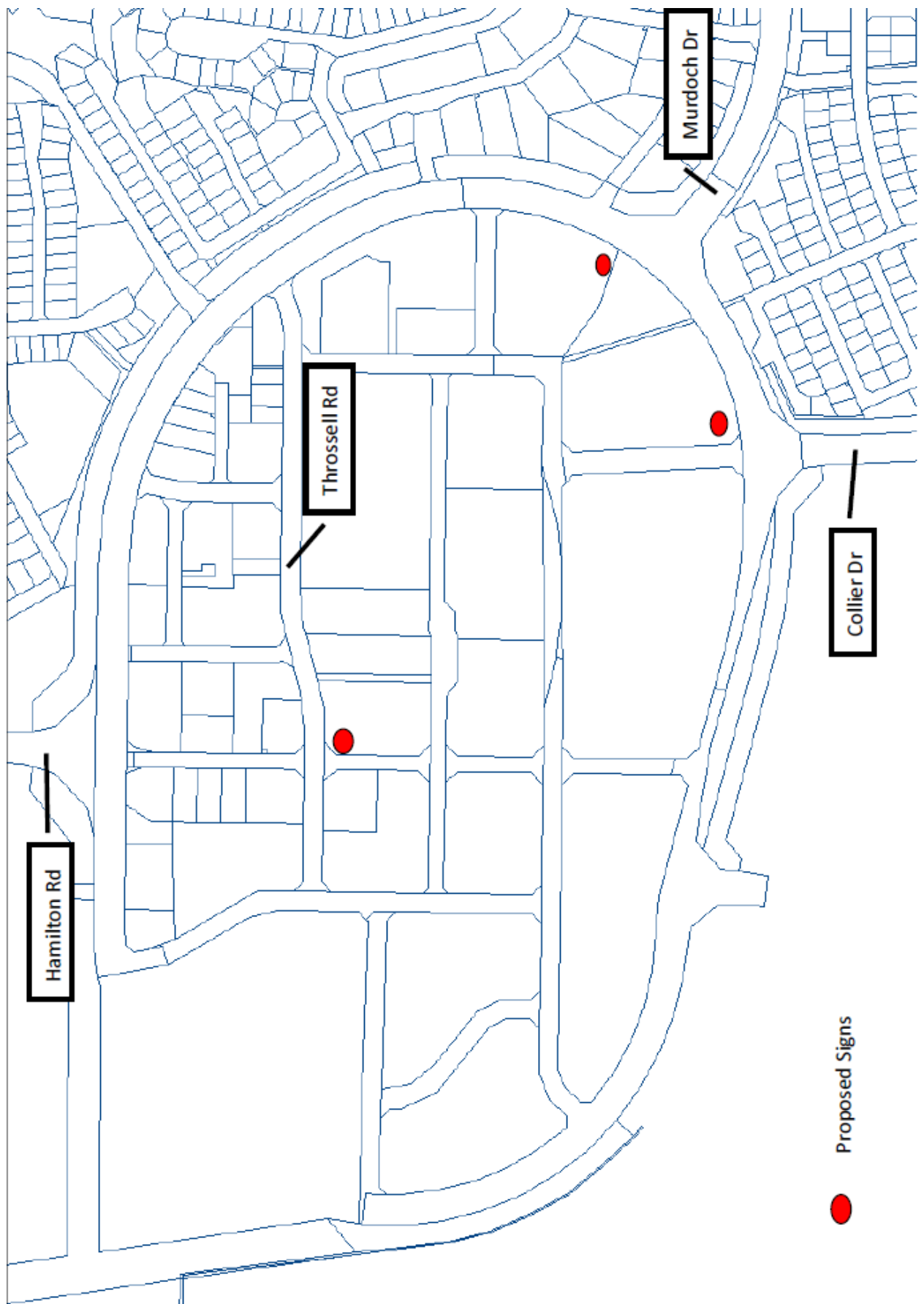
1. This approval relates only to the proposed USE NOT LISTED – Pylon Sign and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.
2. This approval to remain valid until such time as the redevelopment of the South Hedland Town Centre has been completed.
3. Upon the expiry of the permit the sign must be removed and land returned to its original condition to the satisfaction of the Manager Planning.

Footnotes

1. You are advised that drawings submitted for a Building Licence are to be properly drawn and signed by a practising structural engineer.
2. Applicant is to comply with the requirements of Worksafe Western Australia in the carrying out of any works associated with this approval.

CARRIED BY ABSOLUTE MAJORITY 9/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.2.4

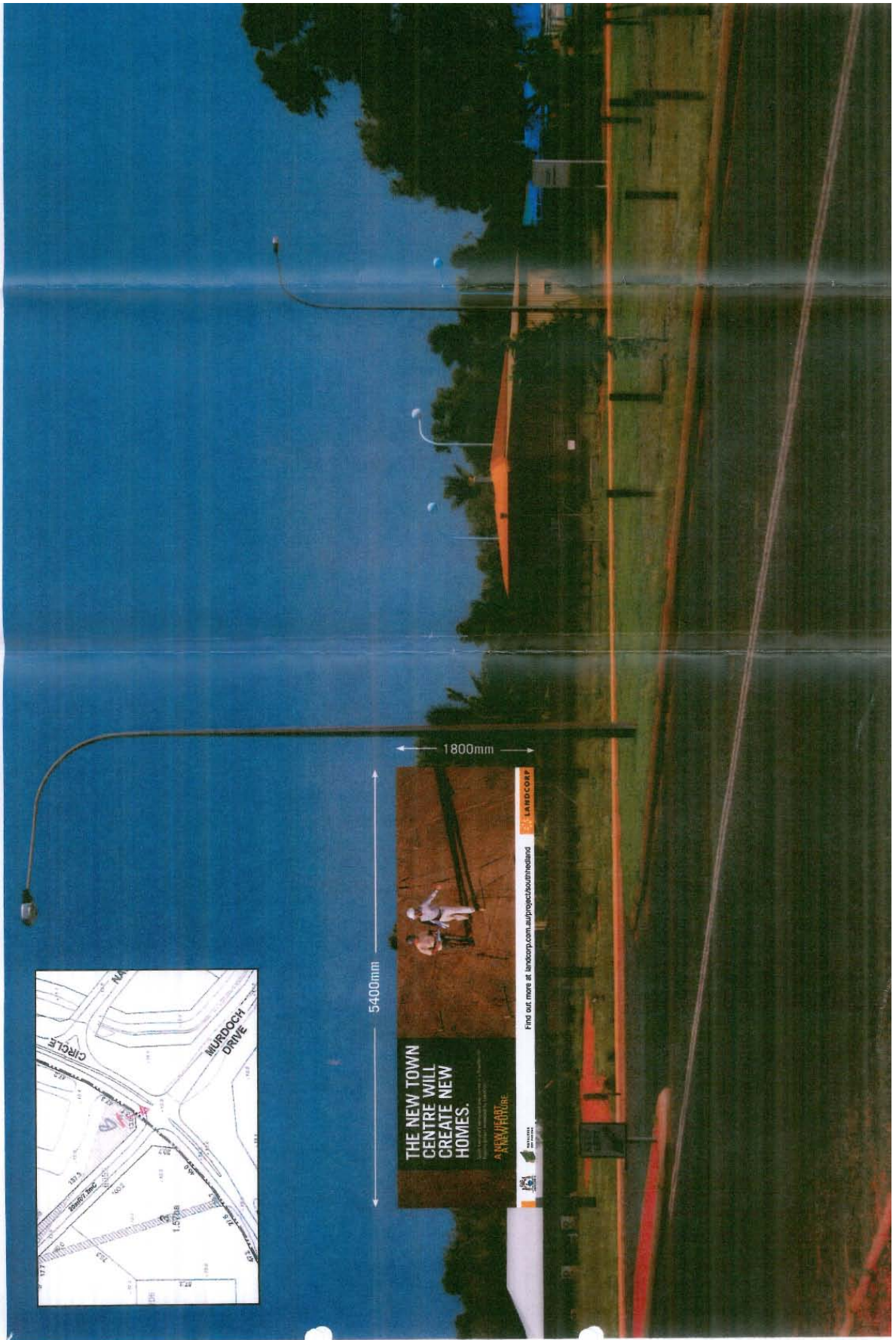


ATTACHMENT 2 TO AGENDA ITEM 11.2.2.4

South Hedland Sign Location A - adjacent hospital, corner of Forrest & Collier 4 metres back from road, see insert.



South Hedland Sign Location B - corner of Murdoch Drive and Forrest Circle - 4 metres back from road, see insert.



South Hedland Sign Location C - Corner of Throssell Road and Hamilton Road, 3 metres back from road.



11.2.3 Environmental Health Services*11.2.3.1 Updated Policy Review 13/006 – Permits To Camp on Private Property (File No.: 04/03/0001)*

| | |
|--|---|
| Officer | Darryal Eastwell Manager Environmental Health |
| Date of Report | 9 July 2009 |
| Disclosure of Interest by Officer | Nil |

Summary

Councils existing policy for permitting camping on private property needs to be amended to clarify the administration of Regulation 11 of the Caravan Parks and Camping Ground Regulations (as amended) which permits camping under certain circumstances.

Background

A report was submitted for Council consideration in March 2009 and it was resolved that the matter lay on the table pending a presentation to Councils informal briefing session.

At the July informal briefing session the Councillors present gave general support to some changes to the existing policy.

| Summary of proposed areas of change to Policy 13/006 – Permission to Camp on Private Property | |
|--|---|
| Current Policy | Proposed Policy |
| Does not determine zones where applications will be considered. | Applications will be considered in rural zones, rural residential zones and residential zones under certain circumstances. |
| Councils Environmental Health Services are to certify health and safety requirements. | Clarifies the areas of minimal hygiene standards that the Environmental Health officer will need to investigate to approve. |
| No fee is charged | An administration fee of \$150 will apply to all applications to recover costs of processing the application. |
| Applications do not need to be in writing. | Applications are to be made in writing |
| The temporary accommodation is to be in the form of a caravan. | States that temporary accommodation will be in the form of a caravan or other accommodation considered appropriate as determined by the Environmental Health Officer. |

The revised policy states that applications for temporary accommodation will only be considered on land zoned Rural, Rural residential or in Residential Zones where an approved dwelling is situated or a building licence has been issued for a new dwelling and construction has commenced.

Consultation

Initial consultation was undertaken with the Manager of Planning and Mr Matt Hayes from the Department of Local Government & Regional Development and it has been confirmed the Department has no policy for interpreting regulation 11 of the Regulations.

Statutory Implications

Regulation 11 of the Caravan Parks & Camping Ground Regulations 1997 states as follows:-

- “11. Camping other than at a caravan park or camping ground*
- (1) A person may camp —*
- (a) for up to 3 nights in any period of 28 consecutive days on land which he or she owns or has a legal right to occupy, and may camp for longer than 3 nights on such land if he or she has written approval under subregulation (2) and is complying with that approval;*
 - (b) for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area;*
 - (c) for up to 24 consecutive hours in a caravan or other vehicle on a road reserve in an emergency, unless to do so would cause a hazard to other road users or contravene any other written law with respect to the use of the road reserve;*
 - (d) on any land which is —*
 - (i) held by a State instrumentality in freehold or leasehold; or*
 - (ii) dedicated, reserved, or set apart under the Land Administration Act 1997 or any other written law, and placed under the care, control or management of a State instrumentality,*
In accordance with the permission of that instrumentality; or
 - (e) on any unallocated Crown land or unmanaged reserve, in accordance with the permission of the Minister within the meaning of the Land Administration Act 1997, or a person authorised by the Minister to give permission under this paragraph.*
- (2) **Written approval** may be given for a person to camp on land referred to in subregulation (1) (a) for a period specified in the approval which is longer than 3 nights —*
- (a) by the local government of the district where the land is situated, if such approval will not result in the land*

- being camped on for longer than 3 months in any period of 12 months;*
- (b) *by the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months; or*
- (c) *despite paragraph (b), by the local government of the district where the land is situated —*
- (i) *if such approval will not result in the land being camped on for longer than 12 consecutive months; and*
- (ii) *if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a building licence issued to that person in respect of the land is in force.”*

As can be seen under the Regulations there are many circumstances where people can camp provided the appropriate approvals are in place.

Local Government can give written permission for a person who has the legal right to occupy land to camp for periods of up to 3 months in any 12 month period and up to twelve months if a building licence has been issued to the property for a dwelling. The Minister can give written permission to persons who have the legal right to occupy land to camp for periods longer than 3 months in any twelve month period.

Policy Implications

Council's current policy states:-

“13/006 PERMITS TO CAMP ON PRIVATE PROPERTY

Subject to Regulations 11 and 12 of the Caravan Parks and Camping Grounds Regulations 1997 and the Caravan Parks and Camping Grounds Amendment Regulations 1999, Council approves applications to camp (including the occupancy of a caravan) on premises other than caravan parks:

- i) *for any period up to three (3) months where the applicant being a family member of the people occupying an authorised dwelling on the premises, or*
- ii) *for any period up to twelve (12) months where the person owning or having a legal right to occupy the land and camping in a caravan on the land while a building licence issued to that person for the construction of a single dwelling in respect of the land is in force, with i) and ii) being subject to:*

- a) *the Council's Environmental Health Services certifying that the premises have been inspected and that they comply with health and safety requirements every three (3) months of the approved period; and*
- b) *the siting of an occupied caravan on the premises not breaching the current Town of Port Hedland Town Planning Scheme nor the local laws; and*
- c) *approval for more than one (1) caravan on premises being referred to Council for a decision; and*
- d) *any application not complying with the terms of i) or ii) being referred to Council for a decision."*

Proposed Revised Policy

13/006 PERMISSION TO CAMP ON PRIVATE PROPERTY

Applications for Camping Other than at a Caravan Park or Camping Ground will be administered in the following manner:-

- a) *All applications to camp on land other than approved camping grounds shall be made in writing.*
- b) *All applications are to be accompanied by a non-refundable fee as determined by Council from time to time.*
- c) *All applications will be processed in accordance with the Caravan Parks & Camping Ground Regulations 1997 as amended.*
- d) *Applications will only be considered on land zoned Rural, Rural Residential and Residential Zones.*

Applications in residential zones will only be considered if there is an existing dwelling on the lot or a building licence has been issued for a dwelling and construction has commenced e.g. footings poured.

Temporary accommodation is to be connected to a potable water source, reticulated mains power supply and an approved method of effluent disposal which is approved by the Manager of Environmental Health.

Only the builder and immediate spouse (i.e. no children) are to reside in the temporary accommodation and any pets are to be confined to the site in an appropriate manner.

- e) *All approvals are to be administered by Councils Environmental Health Service to ensure that minimum hygiene standards can be maintained.*
- f) *Temporary accommodation is to be in the form of a caravan or other accommodation considered appropriate by the Manager of Environmental Health and must contain laundry, kitchen, shower and toilet facilities.*
- g) *Approvals will be for an initial period of no longer than 3 months in any 12 month period in accordance with the regulations.
If a building licence has been issued for a dwelling on the the lot and construction has commenced approval will be for an initial 6 months with an additional 6 month period being considered if substantial progress of the dwelling under construction is made i.e. The proposed dwelling built to at least plate height in the initial approval period, with a maximum period of temporary accommodation permitted being 12 months.*
- h) *The Town reserves the right to review and withdraw any approvals at any time.*

Strategic Planning Implications Nil

Budget Implications

Council at present does not have a fee to administer these types of applications. As these types of requests will take officer time to process it will be recommended that Council adopt a minimum fee of \$150.00 to process each application in the 2009/2010 budget deliberations.

Officer's Comment

The revised policy as proposed gives the Council officers a clear indication on how Council's discretion under Regulation 11 is to be administered.

Attachments Nil

Officer's Recommendation

That Council:

- i) deletes it's current Policy 13/006 Permission to Camp on Private Property; and
- ii) adopts the revised Policy 13/006 Permission to Camp on Private Property' as follows :-

"13/006 PERMISSION TO CAMP ON PRIVATE PROPERTY

Applications for Camping other than at a Caravan Park or Camping Ground will be administered in the following manner:

- a) All applications to camp on land other than approved camping grounds shall be made in writing.
- b) All applications are to be accompanied by a non-refundable fee as determined by Council from time to time.
- c) All applications will be processed in accordance with the Caravan Parks & Camping Ground Regulations 1997 as amended.
- d) Applications will only be considered on land zoned Rural, Rural Residential and Residential Zones.

Applications in residential zones will only be considered if there is an existing dwelling on the lot or a building licence has been issued for a dwelling and construction has commenced e.g. footings poured.

Temporary accommodation is to be connected to a potable water source, reticulated mains power supply and an approved method of effluent disposal which is approved by the Manager of Environmental Health.

Only the builder and immediate spouse (i.e. no children) are to reside in the temporary accommodation and any pets are to be confined to the site in an appropriate manner.

- e) All approvals are to be administered by Councils Environmental Health Service to ensure that minimum hygiene standards can be maintained.

- f) Temporary accommodation is to be in the form of a caravan or other accommodation considered appropriate by the Manager of Environmental Health and must contain laundry, kitchen, shower and toilet facilities.
- g) Approvals will be for an initial period of no longer than 3 months in any 12 month period in accordance with the regulations.

If a building licence has been issued for a dwelling on the lot and construction has commenced approval will be for an initial 6 months with an additional 6 month period being considered if substantial progress of the dwelling under construction is made i.e. The proposed dwelling built to at least plate height in the initial approval period, with a maximum period of temporary accommodation permitted being 12 months.

- h) The Town reserves the right to review and withdraw any approvals at any time.”;
- iii) adopts a fee of \$150.00 (including GST) in the 2009/2010 budget for processing all applications made under this policy; and
- iv) determines all applications that do not comply with the policy.

200910/008 Council Decision

Moved: Cr A A Carter

Seconded: Cr A A Gear

That Council:

- i) deletes it's current Policy 13/006 Permission to Camp on Private Property; and
- ii) adopts the revised Policy 13/006 Permission to Camp on Private Property' as follows :-

“13/006 PERMISSION TO CAMP ON PRIVATE PROPERTY

Applications for Camping other than at a Caravan Park or Camping Ground will be administered in the following manner:

- a) **All applications to camp on land other than approved camping grounds shall be made in writing.**

- b) All applications are to be accompanied by a non-refundable fee as determined by Council from time to time.**
- c) All applications will be processed in accordance with the Caravan Parks & Camping Ground Regulations 1997 as amended.**
- d) Applications will only be considered on land zoned Rural, Rural Residential and Residential Zones.**

Applications in residential zones will only be considered if there is an existing dwelling on the lot or a building licence has been issued for a dwelling and construction has commenced e.g. footings poured.

Temporary accommodation is to be connected to a potable water source, reticulated mains power supply and an approved method of effluent disposal which is approved by the Manager of Environmental Health.

Only the builder and spouse (i.e. no children) are to reside in the temporary accommodation and any pets are to be confined to the site in an appropriate manner.

- e) All approvals are to be administered by Councils Environmental Health Service to ensure that minimum hygiene standards can be maintained.**
- f) Temporary accommodation is to be in the form of a caravan or other accommodation considered appropriate by the Manager of Environmental Health and must contain laundry, kitchen, shower and toilet facilities.**
- g) Approvals will be for an initial period of no longer than 3 months in any 12 month period in accordance with the regulations.**

If a building licence has been issued for a dwelling on the lot and construction has commenced approval will be for an initial 6 months with an additional 6 month period being considered if substantial progress of the dwelling under construction is made i.e. The proposed dwelling built to at least plate height in the initial approval period, with a maximum period of temporary accommodation permitted being 12 months.

- h) The Town reserves the right to review and withdraw any approvals at any time.”;**
- iii) adopts a fee of \$150.00 (including GST) in the 2009/2010 budget for processing all applications made under this policy; and
- iv) determines all applications that do not comply with the policy.

CARRIED 9/0

REASON: Council removed to word “immediate” from the fourth paragraph of clause 11) d) of the Policy, to read as follows:

“.. d) Applications will only be considered on land zoned Rural, Rural Residential and Residential Zones.

...Only the builder and spouse (i.e. no children) are to reside in the temporary accommodation and any pets are to be confined to the site in an appropriate manner.”

11.2.3.2 Application for Trading In a Public Place – Java Van – Coffee (File No.: 19/04/0001)

Officer Michael Cuvalo
Senior Environmental
Health Officer

Date of Report 10 July 2009

Disclosure of Interest by Officer Nil

Summary

Council to consider an application to trade in a public place from Mr Phillip Sheridan to operate a coffee van (Java Van Coffee) from two locations in Port and South Hedland with the possibility of a third location.

Background

The selected locations are as follows:-

1. Road verge, Kevin Scott oval, South Hedland (Currently the Ashburton fish truck uses this area)
2. Car park, Don Rhodes Museum Park, Port Hedland
3. Parking area in front of BP Service Station, Great Northern Highway (if BP services have not recommenced).

Mr Sheridan has stated that he proposes to operate one van between the hours of 6:00am to 3:00pm from the 1st of August 2009 onwards alternating between the above locations.

The Java Van Coffee business has operated from the Karratha Tourist Bureau car park for approximately 12 months.

Consultation

Roebourne Shire Council has reported that throughout the 12 months of operation no issues have arisen regarding food safety and no orders or requisitions have been issued.

A verbal survey was undertaken of three businesses that provide similar services in South Hedland. Two out of the three businesses raised an objection to the application.

Statutory Implications

Trading in Public Places Local Laws.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Trading in Public Places annual fee is \$515.00.

Officer's Comment

Due to the locations selected there is concern that traffic issues could arise as large numbers of vehicles will be attempting to enter and exit the sites during peak traffic times. This could result in increased congestion on main roads and possible accidents.

Consultation has been undertaken with established businesses in South Hedland currently providing similar services in proximity to the proposed locations. Two of the three businesses surveyed expressed strong objection to the application. This proposal will be in competition with these established businesses whose cost structure (inclusive of lease fees, rates, etc.) is likely to be higher than the trading in public places annual fee.

It is the officer's opinion that the application could be considered detrimental to existing established businesses and possibly cause a traffic hazard in at least one of the proposed operating locations in South Hedland.

Given that the majority concern surrounds the potential effect on other established businesses, it is appropriate for Council to use its discretion in this matter.

Attachments Nil

Officer's Recommendation

That Council **refuses** the application on the following grounds:

- a) similar services are already provided within a close proximity to the requested locations;
- b) traffic management concerns could arise due to vehicles entering and exiting a main road during peak traffic times; and
- c) businesses already in operation have expressed strong objections to the proposal.

OR

200910/009 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

Seconded: Cr A A Carter

That Council:

- i) approves the application to trade in a public place from Mr Phillip Sheridan to operate a coffee van between the hours of 6:00am to 3:00pm, effective from 1 August 2009 for a period of twelve (12) months, from the following locations:
- a) **road verge, Kevin Scott Oval, South Hedland;**
 - b) **car park, Don Rhodes Museum Park, Port Hedland; and**
 - c) **parking area in front of BP Service Station, Great Northern Highway; and**
- ii) reviews the application at the end of the twelve (12) month period prior to each subsequent annual renewal.

CARRIED 6/3

NOTE: Councillor G J Daccache requested the votes be recorded.

Record of Vote:

| FOR | AGAINST |
|-------------------|-----------------|
| Cr S R Martin | Cr G D Bussell |
| Cr A A Carter | Cr S J Coates |
| Cr J E Ford | Cr G J Daccache |
| Cr A A Gear | |
| Cr J M Gillingham | |
| Cr K A Howlett | |

11.2.4 Community Development Services*11.2.4.1 The Alliance Small Grants Scheme: Applications Received June 2009 (File No.: 15/01/003)*

Officer Michael Frawley
Events Coordinator

Date of Report 13 July 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider applications that have been received for The Alliance Small Grants Scheme.

Background

The Alliance Small Grants Scheme was developed as a key element of The Alliance partnership agreement between Town of Port Hedland and BHP Billiton Iron Ore. Grants are available to individuals and community groups to encourage and support the creation of a community in which artistic, cultural and heritage aspirations will flourish and be sustained.

The Alliance Small Grants Scheme is advertised a number of times per year, and individuals and groups who meet the selection criteria are eligible for a grant of up to \$5,000.

Requests were received from one applicant in the month of June.

The Alliance Advisory Committee has considered the application received in June, and recommends that this application be approved.

The Alliance Advisory Committee supports the approval of the following applications:

1. Variety Pilbara

“Variety Pilbara Calendar 2010”; for the creation and distribution of a Calendar featuring Pilbara Kids in different Hedland settings. All proceeds from the sale of these calendars will be used to support sick, disadvantaged and special needs children and their families.

Amount Requested: \$3,970

Grant amount approved: \$3,970

TOTAL APPROVED: \$3,970

Consultation

The Alliance Advisory Committee.

Statutory Implications

Nil.

Policy Implications

Nil.

Strategic Planning Implications

Not specifically identified in the strategic plan.

Budget Implications

Nil – Grants approved to the value of \$3,970 from allocated funds in GL 811255. After payment of this amount, there will be \$8, 359 remaining in this account at the end of 2008/09.

Officer's Comment

For information of Council, this is a key component of The Alliance partnership agreement.

Attachments

Nil.

200910/010 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J M Gillingham

That Council approve the following grant as part of The Alliance Small Grants Scheme:

1. Variety Pilbara
"Variety Pilbara Calendar 2010" \$3,970

CARRIED 9/0

11.2.4.2 Hedland Youth Plan and Hedland Youth Charter (File No.: 03/01/0024)

Officer Julie Broad
Manager Community and
Economic Development

Date of Report 8 July 2009

Disclosure of Interest by Officer Nil

Summary

This report seeks Council endorsement for the Hedland Youth Plan and the Hedland Youth Charter, and Council commitment as a signatory to the Hedland Youth Charter.

Background

Hedland Youth Development Framework

The Hedland Youth Development Framework, developed in 2008 by extensive consultation with youth service providers, young people and the wider community of Hedland, provided the strategic map for Hedland youth service delivery.(Attachment 1)

This framework sets the strategic direction for the Hedland Youth Services Action Group (HYSAG), a collaborative of youth service providers across the spectrum of Hedland. The Hedland Youth Development Framework was endorsed by Council in its meeting of May 2008. This is a bulky document so it has not been attached but copies can be found in the minutes of that meeting and are available electronically.

The Framework was highly commended by Professor Fiona Stanley in her keynote speech at HYSAG's Youth Forum in March 2008. The central domain of the Youth Development Framework, the Executive Management, Research and Consultation domain, includes the brief of Collaborative Planning and Implementation which has been instrumental in developing the Hedland Youth Plan and Hedland Youth Charter.

Hedland Youth Plan: Aspire-Act-Achieve

(The version provided is a draft, final edits are currently being based on feedback from Hedland youth and other stakeholders. Due to the size of this document, it has been supplied to Councillors separately. Please note that although the copies are in black and white for economy, the final version will be professionally printed and in colour)

The achievement of a Hedland Youth Plan has been key among the strategic objectives of HYSAG. It has been developed using the key elements of the Hedland Youth Precinct Business Plan, adopted by Council in its May 2008 meeting.

Creating Communities, on behalf of South Hedland New Living, utilized wide-reaching consultation to draw together the strategic aims of the many agencies in Hedland providing services to young people. These views, together with the views and desires of the town's young people themselves, were formed into a cohesive Plan to make Hedland a place young people want to work, play and STAY!

The Hedland Youth Plan is available in bound colour copy on request, or electronically at:

http://creatingcommunities.com.au/ftp/youth_doc/YouthDoc2_WEB.pdf

Hedland Youth Charter

The Hedland Youth Charter (Attachment 2) has been initiated and supported by HYSAG. It is derived from the Hedland Youth Plan.

The charter was made reality with funding from BHP Billiton and the WA Department for the Attorney General, and written by Creating Communities Australia.

The Hedland Youth Charter articulates the values and goals essential to effectively engage young people in policy, program and service development. (pg 2 draft Charter)

Within these values and goals, it outlines responsibilities for:

- HYSAG
- Hedland's Community
- Young People

and details the principles by which all youth services will commit to work by in engaging with Hedland's youth. (pgs 2-5 draft Charter)

Consultation

- Hedland Youth Leadership Coalition (HYLC)
- Young people in Hedland
- Youth Service providers through HYSAG
- Wider Hedland community through youth forums

Statutory Implications

Nil.

Policy Implications

There is currently no Youth Policy framework that guides the role of Council in it's work with and for young people in our community.

The Hedland Youth Plan and the Hedland Youth Charter give a clear direction forward in the delivery of appropriate, research-based youth development strategy.

They specify the values, goals and principles that will guide the work of all youth service agencies, and ensure the work done for and with young people in Hedland.

The Hedland Youth Charter aligns with the guiding principles of the Australian Research Alliance for Children and Youth (ARACY) and the Commonwealth Plan of Action for Youth empowerment (PAYE).

Strategic Planning Implications

Key Result Area 3 – Community Development

Goal 1 – Youth & Children

Strategy 5: Work with key youth stakeholders to ensure that a range of events/functions are available for local youth including recreation, leisure, adventure and art/craft activities.

Budget Implications

Nil.

Officer's Comment

The Town of Port Hedland has ownership of a number of elements of the Hedland Youth Plan though it's Plan for the Future, which has been instrumental in informing the work of developing the plan.

Elements of the plan in which Council has an involvement were previously provided for in the 2008/09 budget.

Future elements, that of the establishment of a Youth Coordinator position and of an additional \$10,000 events budget item to be spent in consultation with HYL, are being considered by Council in the current 2009/10 budget deliberations.

The Executive Management, Research & Consultation domain at the centre of the Hedland Youth Development Framework and six related domains of the model guide the outline of the Hedland Youth Plan:

Central Domain - Executive Management, Research & Consultation: A well-managed approach to collaborative stakeholder engagement and planning underpinned by evidence-based research

Domain 1 - Youth Voice: Communicating issues, needs and aspirations of young people

Domain 2 – Youth Futures: Education, training and employment

Domain 3 – Youth Leadership: Developing young people as community leaders

Domain 4 – Health and Well-being: Supporting young people to lead healthy, active lives

Domain 5 – Youth Place and Space: Providing facilities and amenities that meet young people's needs

Domain 6 – Youth fun and Events: engaging young people through enjoyable and motivating activities

Using these domains, existing commitments made by Council to youth services in Hedland are shown in Table 1 (left hand side column).

Commitments required in the future to achieve the objectives of the Hedland Youth Plan are shown in Table 1 (right hand side column).

TABLE 1: Current & Future Commitments to Hedland Youth

| CURRENT COMMITMENTS | FUTURE COMMITMENTS |
|---|--|
| Executive Management, Research and Consultation: Stakeholder facilitation and management – MCED is current Chair of HYSAG | As per current commitments |
| 1.Youth Voice: Mentoring to the Hedland Youth Leadership Council; | Youth Voice: Administrative and mentoring support to HYLC; Community Radio at Youth Precinct; Urban art works 2009 |
| 2.Youth Futures: Role on Hedland Education Forum | As per current commitments |
| 3.Youth Leadership: Mentorship of HYLC; | 3.Youth Leadership: Administrative support and ongoing mentorship of HYLC MCED coordinates Hedland Young Leaders Program |

| | |
|---|--|
| 4. Health and Well-being: Recreation services to young people in place | 4. Health and Well-being: Recreation services ongoing Tenants at Youth Precinct providing health and well being programs and services |
| 5. Youth Place and Space: Architect completing work for tender of Youth Precinct development 2008/09 | 5. Youth Place and Space: Contract for construction of Youth Precinct let and work completed 2010. |
| 6. Youth Fun and Events: One Youth event in Calendar of Major events \$10,000 Budget allocated to youth events in consultation with HYLIC | 6. Youth Fun and Events: Youth event ongoing Potential increase in Budget allocated to youth events in consultation with HYLIC |

Recommendations of the Hedland Youth Plan

The following recommendations are made in regard to the implementation of the Hedland Youth Plan:

- A 'soft copy' of the research data to all stakeholders to review and provide feedback
- A meeting of HYSAG be convened to discuss and review the research data and Plan
- A meeting of HYLIC to be convened to discuss the research data and review the Plan
- A stakeholder forum (including stakeholders and youth) be held to discuss and progress the implementation of the Plan. Key aspects of this forum would include:
 - Determining current and future commitment and 'buy-in' to the recommended strategies
 - Determine priority actions for the first stages of implementation
- All government agencies, community organizations, businesses and industry groups to commit to the collaborative implementation of the Hedland Youth Plan and it's strategies
- All government agencies, community organizations, businesses and industry groups to be signatories to the Hedland Youth Charter
- Commitment to be sought from key stakeholders for the development of the Youth Executive Leadership role to commence in 2010
- Commitment from key stakeholders to the establishment and resourcing of a "Hedland Youth Trust" to provide a financial basis for future youth development initiatives
- Commitment to be sought from the Town of Port Hedland to progress towards the provision of Youth Services staff as per the model in this Plan (Also in the Hedland Youth Precinct Business Plan)

- Commitment to be sought from government and other stakeholders for funding to enable the development phases of the Hedland Youth Precinct
- Commence discussion and investigation, with members of HYLC and other stakeholders on how to develop and strengthen HYLC to ensure a sustainable future as a voice of youth in Hedland.

Council Endorsement of the Hedland Youth Plan

The foreword to the Hedland Youth Plan from Mayor Stan Martin on behalf of Council lends significant status to the document, and Council's formal endorsement and support of this work with and for the young people of Hedland will be greatly valued.

Hedland Youth Charter

The aim of the Youth Charter is to enhance stakeholder networks and align joint resources to deliver opportunities of significance to the youth of Hedland.

Community consultation revealed that stakeholders viewed the Town of Port Hedland as the most crucial stakeholder in the community in ensuring success in addressing youth issues. (pg 68, HYP).

Surveys conducted by the Town of Port Hedland, BHP Billiton and South Hedland New Living determined that the community is seeking additional services for children and youth and that the Town is expected to be the leader in this area. (Attachment 3A&B)

In addition to this feedback, the Hedland Youth Charter has been the result of ongoing consultation with a range of community and youth stakeholders. Key phases of formal consultation and development of this Charter include:

- "Youth Take Action" – event to start HYLC at JDHC August 07
- "Call to Action" – Hedland Youth Development Stakeholder Workshop, December 07.
- "Youth Shout Out" Consultation Day February 08
- "Our Community, Our Youth Our Future" – combined Youth & Stakeholder Forum, March 08
- Meetings with Hedland's Youth Leadership Coalition and Student Councils 2007-09
- Development of the draft "Hedland Youth Plan: Aspire, Act, Achieve" February 2009

Council Endorsement of the Youth Charter

As a major stakeholder in youth services within Hedland, Council is invited to be a signatory to the Hedland Youth Charter document, and in doing so make a public commitment to support young people in our community.

The Hedland Youth Precinct Business Plan, endorsed by Council at it's May 2008 meeting, outlined the staffing requirements of the staged development of the Youth Precinct. Council is currently considering youth staffing in the 2009/10 budget process.

Attachments

- 1 Hedland Youth Development Framework
- 2 Hedland Youth Charter
- 3 Role of Local Government in Youth Leadership & Management (pg 68-69 HYP)

200910/011 Council Decision/Officer's Recommendation

Moved: Cr K A Howlett

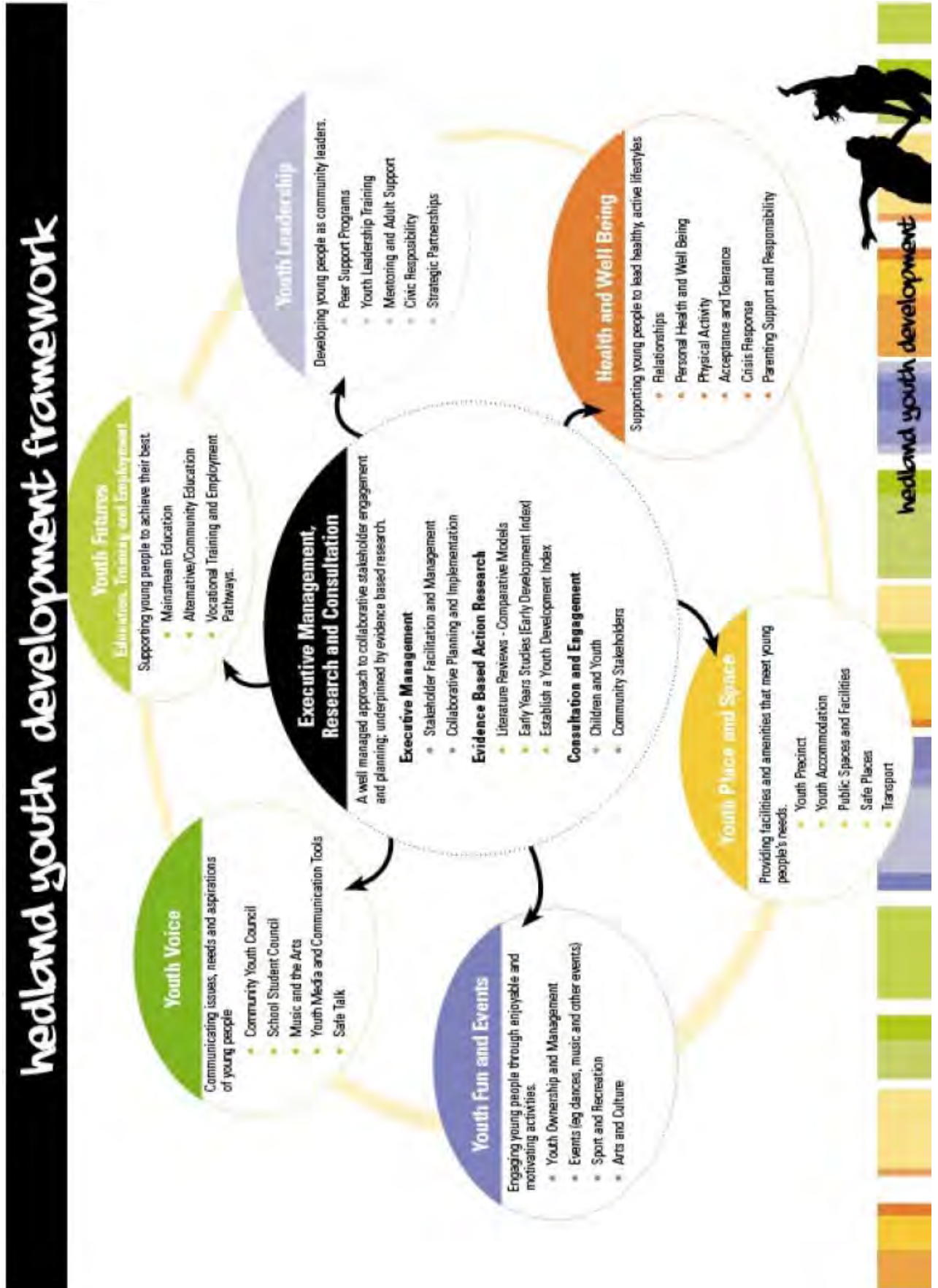
Seconded: Cr J M Gillingham

That Council:

- i) endorse the Hedland Youth Plan;
- ii) endorse the Hedland Youth Charter; and
- iii) commit as a signatory to the Hedland Youth Charter.

CARRIED 9/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.4.2



ATTACHMENT 2 TO AGENDA ITEM 11.2.4.2

HEDLAND YOUTH CHARTER

This Charter aligns with the guiding principles of the Australian Research Alliance for Children and Youth (ARACY) and the Commonwealth Plan of Action for Youth Empowerment (2002). It reflects the contributions from stakeholders across the Hedland Community. The content of this Charter is derived from the 'Hedland Youth Plan: Aspire Act Achieve', which was commissioned by BHP Billiton Iron Ore and the Department of Attorney General's Aboriginal Justice Agreement and written by Creating Communities Australia (2009).

PURPOSE

The Hedland Youth Charter articulates the values and principles essential to effectively engage young people in the development and implementation of policies, programs and services.

For the purpose of this Youth Charter, young people are defined as those aged between 12 and 25 years who live, work, study, recreate in or who are attached to the Hedland community.

VALUES

The following statements about young people and their participation reflect the values of the Hedland community and its approach to ensuring young people's participation in processes of decision making.

Young people:

- Are valued members of the community.
- Are entitled to the same human rights and protections as all other community members.
- Are entitled to respect and dignity.
- Have unique and diverse talents, knowledge and skills.
- Make valuable and significant contributions to society.

GOALS

- To enhance stakeholder networks and align collective resources, that are pertinent to the youth of in Hedland.
- To provide a mechanism for young people to engage with and make representation to all levels of community and government.
- To promote and build leadership skills with local youth.
- To provide a forum to discuss and support the future planning of services relevant to children and youth.
- To raise awareness and promote understanding of issues impacting upon youth.

RESPONSIBILITIES

Hedland Youth Stakeholder Action Group (HYSAG)

LEAD THE WAY

There are ways that the community can work with and for young people. The Hedland community of stakeholders will become a leader in exploring approaches to this.

TAKE A HOLISTIC APPROACH

Young people need to be on the main agenda. Members of HYSAG will encourage the community, all stakeholders and leaders to consult young people, as appropriate, in planning decisions and operations in regards to relevant aspects of its work.

DEVELOP STRONG PARTNERSHIPS

HYSAG will display a collaborative approach and develop a range of partnerships across the community to present a united front in addressing youth needs. The most successful achievements will come from a whole-of-community approach.

Community

UNDERSTAND THEIR REALITY

Don't make assumptions. A young person's reality is often different to an older person's. Ask young people about factors that may influence them to become involved and make positive decisions. Show that you understand.

RESERVE JUDGEMENT

Keep the faith. Young people, like adults, sometimes make ill-informed decisions for a whole range of reasons. They need information and support to ensure the next decision is a good one. They will learn from their mistakes if they are supported to do so.

CONNECT WITH THEM

Make a special effort to let young people know what's going on - give them the opportunity to decide what they think and then listen. Support them in coming up with, and being part of a solution.

BE POSITIVE MODELS

Young people are watching, listening and learning. They are worth setting a high standard for. Work hard to surround them with positive relationships, aspiration and opportunities.

CELEBRATE YOUTH

We tend to group the members of our community who haven't been on the planet for long as 'young people', but that group is made up of many incredible individuals with diverse skills and interests. Remember this, and support and celebrate what they have to offer the community.

Youth

MAKE GOOD CHOICES

We're faced with so many choices each day. Think and be strong enough to make the right choices that will bring credit to you, your family and your community. Once you've made a choice, be responsible for it. Feel proud when it's a positive decision and resolve it when the choice wasn't so good.

CONNECT WITH YOUR COMMUNITY

Things are a whole lot better when you have people around that you can count on. Sometimes they might not be so obvious but they are there. Go out and find community members who you trust, who understand you and who inspire you.

FIND OUT, SPEAK UP AND ACT NOW

Be aware of what's happening around you. Think and talk about it with others. Work out what you believe in, what you want, what you need and, most importantly of all, how you can contribute. Start making things happen.

DEVELOP YOUR SKILLS AND UNDERSTANDING

It's a whole lot harder to make things happen if you don't have the basics. Seek to improve yourself through education and developing the experience and skills you need to be the best you can be.

COME UP WITH SOLUTIONS

It's easy to see what's wrong with our community. It takes a lot more to work out how we can fix it. By coming up with solutions, rather than just problems, you'll have more power to change things and gain greater respect from others.

PRINCIPLES for engaging Hedlands Youth

Hedland's Youth Stakeholders and the community are committed to:

- Engaging with young people when making decisions about policies, programs and services on issues that directly impact on them and the broader community.
- Listening to and promoting young people's contribution.
- Providing timely feedback on the outcomes of decisions in which they have participated.
- Considering how proposed changes to policies, programs and services affect young people.
- Acting to ensure that young people's participation is a beneficial and positive experience that acknowledges and values their contribution.
- Recognising young people's right to participate in decision making processes, as well as their right to choose the extent of their involvement or to not participate.
- Recognising and respecting cultural diversity at all times when engaging with young Aboriginal and Torres Strait Islander people and people from culturally and linguistically diverse backgrounds.
- Providing appropriate support to ensure that a diverse range of the young people can participate in the process - including an interpreter or advocate, if necessary to ensure principles of access and equity are met.
- Providing resources to enable young people to participate, including information about how they can be involved in democratic processes.
- Using a range of alternative technologies to encourage all young people to participate and convey their ideas in diverse and relevant ways.
- Creating opportunities to enable young people to respond to government agendas and share ideas and initiate matters for government consideration.
- Explaining processes or proceedings in a relevant manner and ensure they are accessible and have mechanisms in place so that young people are able to contribute to and/or questions decisions.

Production of this Charter was proudly sponsored by **bhpbilliton** resourcing the future.

And actually supported by **South Hedland** and **Department of Western Australia** (Department of Planning).

hedland youth development

ATTACHMENT 3 TO AGENDA ITEM 11.2.4.2

The Role of Local Government in Youth Leadership and Management

Community consultation revealed that stakeholders viewed the Town of Port Hedland as the most crucial stakeholder in the community in ensuring success in addressing youth issues.

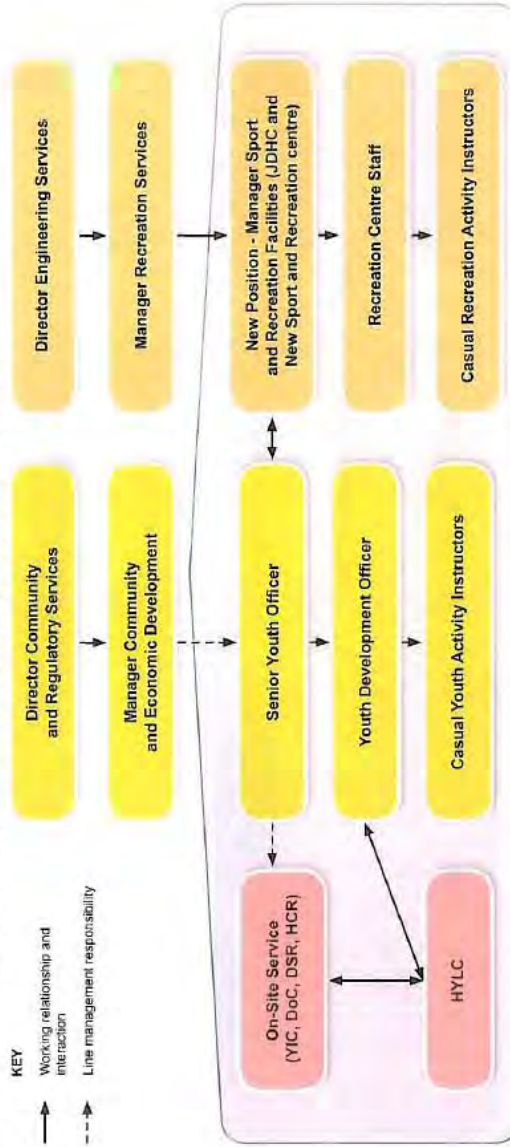
Surveys conducted by the Town of Port Hedland, BHP Billiton and South Hedland New Living determined that the community is seeking additional services for children and youth, and the Town is expected to be the leader in this area.

In June 2007 the town and South Hedland New Living Project engaged Creating Communities Australia to commence concept planning to develop the Hedland Youth Precinct as a 'one stop shop' for youth services in Hedland.

The town has taken steps in this direction through its role in HYSAG and through commissioning planning work for the developing a new youth precinct at the current JD Hardie Recreation Centre.

The following diagram describes the recommended youth staff structures proposed in the youth precinct business plan, when the JD Hardie Centre is a shared youth and Recreation Centre.

1. Stage 1 – Shared Use of the JD Hardie Centre for Recreation Programs and Youth Services

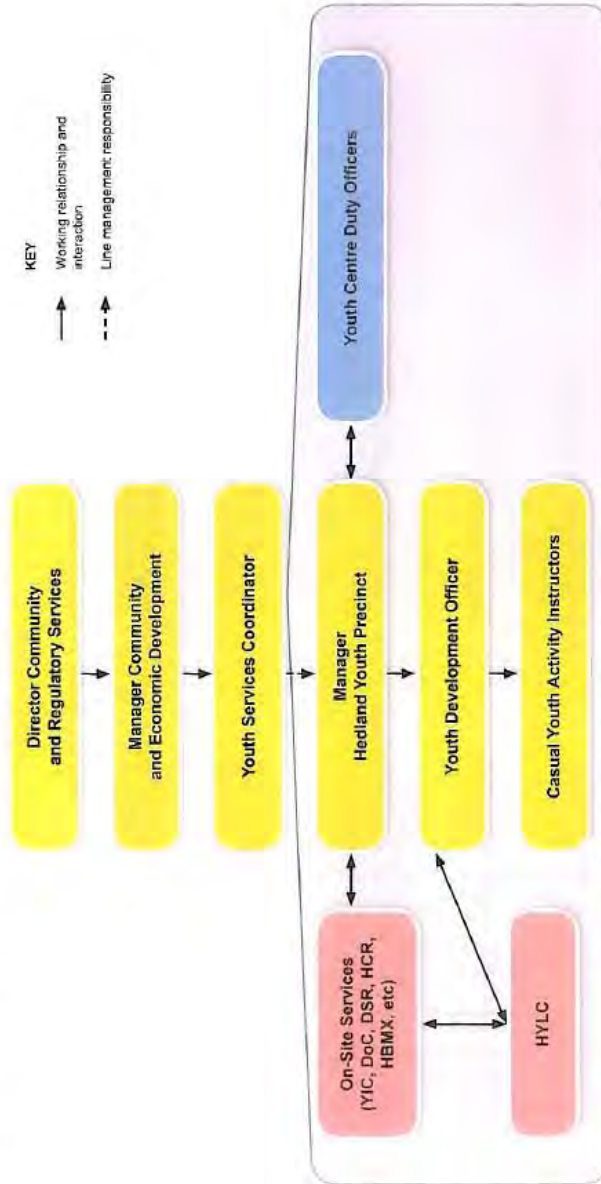


2. Stage 2 – JDHC Fully Developed as a Youth Precinct

Once the construction of the new Hedland Sport and Recreation Centre is completed, recreation staff will relocate to the new facility. It is at this stage that it is recommended a full-time youth services coordinator be appointed to plan and manage the operations of council's youth services department.

At the same time, the position of senior youth officer will evolve into the position of youth precinct manager, responsible for managing its facilities, planning on-site programs and services and managing partnerships with youth service agencies.

The position of youth development officer would continue to coordinate on-site youth programs and work with HYLCC. In addition, part-time duty officers would be appointed to assist with the day-to-day operation of the youth centre, along with a number of casual program instructors



11.2.4.3 Hedland Youth Precinct – Contract Variation for Geotechnical Survey (File No.: 20/01/0039)

Officer Julie Broad
Manager Community &
Economic Development

Date of Report 7 July 2009

Disclosure of Interest by Officer Nil

Summary

The aim of this report is to consider a variation in the contract for the Hedland Youth Precinct Redevelopment project to include a geotechnical survey.

Background

In September 2008 Council accepted a tender from architects Holton Connor for the provision of architectural services for the design of the Hedland Youth Precinct, with a budget of \$318,208. Tenderer Holton Connor noted in their tender submission that:

“Fee includes all sub-consultants as scheduled, but excludes site surveying, landscaping and geotechnical.”

Council resolved to vary the contract for cadastral, feature and level surveys in the Ordinary Meeting of Council on 24th June. This work was awarded to MAKJaP at a price of \$7,601.

A tender for landscaping will be presented to Council for consideration as soon as design work is completed.

Geotechnical survey work is also excluded from the scope of the current contract but will be required prior to construction.

Consultation

- Youth & Recreation Facility Working Group
- Council staff
- Holton Connor Architects
- Creating Communities

Statutory Implications

Nil.

Policy Implications

Nil.

Strategic Planning Implications

Key Result Area 3 – Community Development

Goal 1 – Youth & Children

Strategy 2 - Convert the J D Hardie Centre into a more youth focused facility.

Budget Implications

The Hedland Youth Precinct Upgrade project, GL Code 1104411 originally had a budget of \$3.4 million. The promised contribution from the Youth Involvement Council of \$600,000 was not able to be delivered, and additional funding is currently being sourced. This leaves the project with a current budget of \$2.8 million. The proposed contract variation for a geotechnical survey is within this budget amount.

Officer's Comment

Geotechnical survey:

A geotechnical survey is required to allow the detailed engineering design work to proceed. Holton Connor have sought quotes from suitably qualified surveyors, and elected SGC Australia to undertake the work at a cost of \$7,172.00 (Appendix 1 & 2). A contract variation is required for the work to progress. This price is within the range Council would expect to pay if it sought quotes in its own right.

Attachments

1. Quotation for survey work: SGC Australia Pty Ltd
2. General Terms and conditions, SGC Australia Pty Ltd

200910/012 Council Decision/Officer's Recommendation

Moved: Cr S J Coates

Seconded: Cr A A Carter

That Council approves the Hedland Youth Precinct contract variation of \$7,172 for a geotechnical survey of the Hedland Youth Precinct site.

CARRIED 9/0

ATTACHMENT 1 TO AGENDA ITEM 11.2.4.3



Our Ref: 60.P2176.44642.TG.AS

8th July 2009

HOLTON CONNOR ARCHITECTS
56 Thomas St
West Perth WA 6005

Tel: (08) 9158 9300
Fax: (08) 9173 1766
Email Terry@holtonconnor.com.au

Attention: Terry Holton

Dear Terry

**RE: JD HARDIE CENTRE, COTTIER DR SOUTH HEDLAND
- Proposal for Geotechnical Investigation Work**

1. INTRODUCTION

Thank you for your email dated 7th July 2009. We are given to understand that the purpose of the Geotechnical Investigation is to enable Engineering Design of Building Pad for the proposed extension at the above property.

A site plan (courtesy of Landgate 2009) is presented in Plate 1 showing the proposed test pit locations.



Plate 1: Site Plan (courtesy Landgate 2009)



2. SCOPE OF INVESTIGATION

We would propose shallow investigation using a backhoe as outlined below.

- Desktop study of the relevant site conditions and available Geological information on the site.
- Sub surface probing adjacent to the present building as noted above and as deemed necessary (up to 3 test locations), using a long reach backhoe or excavator up to 3.0 metres in depth or to refusal on rock.
- Conduct soil sampling at each test pit as required.

The investigation to include:

- Test pit logging of soil strata and observations for ground water.
- Dynamic Cone Penetrometer (DCP) or Perth Sand Penetrometer (PSP) testing up to 0.9 metres depth, along side of each test pit.
- Associated disturbed and undisturbed sampling of soil strata as required.
- Laboratory testing to establish soil parameters.
- All tests and samples sign off by the signatory for that test.
- *Optional Insitu permeability testing to determine hydraulic conductivity.*

Not included:

- Levelling by a Registered Surveyor to determine the boreholes positions, which may be determined by the site surveyor.

Laboratory tests to include:

- Particle Size Distribution.
- Atterberg limits.

Report to include:

- Details of investigation
- Site plan showing location of boreholes
- Site classification in accordance with the provisions & definitions of AS2870.
- Recommendations on site constraints
- Report signed by investigating Geotechnical Engineer and reviewed by our Senior Geotechnical Engineer.
- Factual results of bore logs and test results

- Note: - All test holes will be backfilled and tamped with the excavated material.
 - Testing will be undertaken in our NATA registered laboratory and by personnel certified by NATA for the particular test.

3. PROPOSED TIME FRAME

Work could generally commence within two weeks upon the receipt of Purchase Order, depending on the availability of excavator and operator.

The report will take two weeks after the availability of all laboratory test results.



4. FEE

| Item | Description | Qty | Unit | Rate | Amount (A\$) |
|------------|--|--|------|----------|-----------------|
| 1.0 | Field Work | | | | |
| 1.1 | Preliminaries including a Geological desktop study. | 1 | Item | 480.00 | 480.00 |
| 1.2 | Mob/demob backhoe and operator to site and Engineering crew to site. | 1 | Item | 2,440.00 | 2,440.00 |
| 1.3 | Conduct test pit excavation and dipping work, up to 3m or refusal for up to 3 test pits, including sampling, field logging and field tests. | 1 | Item | 2,000.00 | 2,000.00 |
| 1.4 | <i>Optional in situ permeability test to determine site hydraulic conductivity.</i> | Rate | Ea. | 500.00 | - |
| | | Sub Total for 1.0 = | | | 4,920.00 |
| 2.0 | Laboratory Tests | | | | |
| 2.1 | Laboratory test suites comprising of the following as considered necessary (Engineering Parameters) <ul style="list-style-type: none"> • Atterberg Limits • Particle Size Distribution | 1 | Item | 600.00 | 600.00 |
| | | Sub Total for 2.0= | | | 600.00 |
| 3.0 | Reporting | | | | |
| 3.1 | Reporting on factual findings based on laboratory tests, including site classification for the proposed extension. | 1 | Item | 1,000.00 | 1,000.00 |
| | | Sub Total for 3.0 = | | | 1,000.00 |
| | | Total for items 1.0, 2.0, 3.0 (Excl. 10% GST) = | | | 6,520.00 |



The fee is quoted based on the following assumptions:

- The quotation is based on the Standard Conditions of Engagement.
- Vehicular access is available to the investigation locations within normal working hours, and the work can proceed without interruption. If interruptions occur due to reasons and circumstances beyond our control, whilst our staff are on site the idle time will be charged in accordance with the standby rates and hourly rates quoted in the attached schedule.
- Location for services in the site area will be identified by others, and whilst every attempt shall be made to avoid damaging services, etc. no responsibility shall be accepted for any such damage inadvertently caused.
- The lots and house pad locations are clearly marked by the client prior to our attendance at the site
- The fees and rates quoted assume that the full scope of work will be awarded. If partial award is made the rates may differ.
- Attendance at meetings or follow up advice after submission of the report will be charged at hourly rates shown.
- The validity of quotation is 30 days.
- The prices quoted in the attached Schedule of Rates Exclude GST.
- A written confirmation in the form of a Purchase Order, is provided by the client, one week prior to commencement of work.

SGS Australia Pty Ltd

Terrence Gill
Senior Geotechnical Engineer

Aidan Seck
Principal Engineer

SGS Services are rendered in accordance with the applicable SGS General Conditions of Service available upon request or at [http://www.sgs.com/terms and conditions.htm](http://www.sgs.com/terms_and_conditions.htm). Attention is drawn to the limitations of liability, indemnification and jurisdictional issues defined therein.

By accepting this proposal, the Client expressly acknowledges that it has taken note of and that the terms and conditions stipulated therein will be observed and adhered to.



SCHEDULE OF RATES FOR VARIATIONS

| Description | Unit | Rates (ex GST) |
|------------------------------|------|----------------|
| <i>Personnel</i> | | |
| Principal Engineer | Hour | \$250.00 |
| Senior Geotechnical Engineer | Hour | \$180.00 |
| Geotechnical Engineer | Hour | \$120.00 |
| Senior Geotechnician | Hour | \$100.00 |
| Technician | Hour | \$90.00 |

ATTACHMENT 2 TO AGENDA ITEM 11.2.4.3



GENERAL CONDITIONS OF SERVICE

1. General

(a) Unless otherwise agreed in writing or except where they are at variance with (i) the regulations governing services performed on behalf of governments, government bodies or any other public entity or (ii) the mandatory provisions of local law, all offers or services and all resulting contractual relationship(s) between any of the affiliated companies of SGS SA or any of their agents (each a "Company") and Client (the "Contractual Relationship(s)") shall be governed by these general conditions of service (hereinafter the "General Conditions").

(b) The Company may perform services for persons or entities (private, public or governmental) issuing instructions (hereinafter, the "Client").

(c) Unless the Company receives prior written instructions to the contrary from Client, no other party is entitled to give instructions, particularly on the scope of the services or the delivery of reports or certificates resulting therefrom (the "Reports of Findings"). Client hereby irrevocably authorises the Company to deliver Reports of Findings to a third party where so instructed by Client or, at its discretion, where it implicitly follows from circumstances, trade custom, usage or practice.

2. Provision of Services

(a) The Company will provide services using reasonable care and skill and in accordance with Client's specific instructions as confirmed by the Company or, in the absence of such instructions:

- (1) the terms of any standard order form or standard specification sheet of the Company; and/or
- (2) any relevant trade custom, usage or practice; and/or
- (3) such methods as the Company shall consider appropriate on technical, operational and/or financial grounds.

(b) Information stated in Reports of Findings is derived from the results of inspection or testing procedures carried out in accordance with the instructions of Client, and/or our assessment of such results on the basis of any technical standards, trade custom or practice, or other circumstances which should in our professional opinion be taken into account.

(c) Reports of Findings issued further to the testing of samples contain the Company's opinion on those samples only and do not express any opinion upon the lot from which the samples were drawn.

(d) Should Client request that the Company witness any third party intervention, Client agrees that the Company's sole responsibility is to be present at the time of the third party's intervention and to forward the results, or confirm the occurrence, of the intervention. Client agrees that the Company is not responsible for the condition or calibration of apparatus, instruments and measuring devices used, the analysis methods applied, the qualifications, actions or omissions of third party personnel or the analysis results.

(e) Reports of Findings issued by the Company will reflect the facts as recorded by it at the time of its intervention only and within the limits of the instructions received or, in the absence of such instructions, within the limits of the alternative parameters applied as provided for in clause 2(a). The Company is under no obligation to refer to, or report upon, any facts or circumstances which are outside the specific instructions received or alternative parameters applied.

(f) The Company may delegate the performance of all or part of the services to an agent or subcontractor and Client authorises Company to disclose all information necessary for such performance to the agent or subcontractor.

(g) Should Company receive documents reflecting engagements contracted between Client and third parties or third party documents, such as copies of sale contracts, letters of credit, bills of lading, etc., they are considered to be for information only, and do not extend or restrict the scope of the services or the obligations accepted by the Company.

(h) Client acknowledges that the Company, by providing the services, neither takes the place of Client or any third party, nor releases them from any of their obligations, nor otherwise assumes, abridges, abrogates or undertakes to discharge any duty of Client to any third party or that of any third party to Client.

(i) All samples shall be retained for a maximum of 3 months or such other shorter time period as the nature of the sample permits and then returned to Client or otherwise disposed of at the Company's discretion after which time Company shall cease to have any responsibility for such samples. Storage of samples for more than 3 months shall incur a storage charge payable by Client. Client will be billed a handling and freight fee if samples are returned.

Special disposal charges will be billed to Client if incurred.

3. Obligations of Client

The Client will:

(a) ensure that sufficient information, instructions and documents are given in due time (and, in any event not later than 48 hours prior to the desired intervention) to enable the required services to be performed;

(b) procure all necessary access for the Company's representatives to the premises where the services are to be performed and take all necessary steps to eliminate or remedy any obstacles to, or interruptions in, the performance of the services;

(c) supply, if required, any special equipment and personnel necessary for the performance of the services;

(d) ensure that all necessary measures are taken for safety and security of working conditions, sites and installations during the performance of services and will not rely, in this respect, on the Company's advice whether required or not;

(e) inform Company in advance of any known hazards or dangers, actual or potential, associated with any order or samples or testing including, for example, presence or risk of radiation, toxic or noxious or explosive elements or materials, environmental pollution or poisons;

(f) fully exercise all its rights and discharge all its liabilities under any relevant sales or other contract with a third party and at law.

4. Fees and Payment

(a) Fees not established between the Company and Client at the time the order is placed or a contract is negotiated shall be at the Company's standard rates (which are subject to change) and all applicable taxes shall be payable by Client.



(b) Unless a shorter period is established in the invoice, Client will promptly pay not later than 30 days from the relevant invoice date or within such other period as may be established by the Company in the invoice (the "Due Date") all fees due to the Company failing which interest will become due at a rate of 1.5% per month (or such other rate as may be established in the invoice) from the Due Date up to and including the date payment is actually received.

(c) Client shall not be entitled to retain or defer payment of any sums due to the Company on account of any dispute, counter claim or set off which it may allege against the Company.

(d) Company may elect to bring action for the collection of unpaid fees in any court having competent jurisdiction.

(e) Client shall pay all of the Company's collection costs, including attorney's fees and related costs.

(f) In the event any unforeseen problems or expenses arise in the course of carrying out the services the Company shall endeavour to inform Client and shall be entitled to charge additional fees to cover extra time and cost necessarily incurred to complete the services.

(g) If the Company is unable to perform all or part of the services for any cause whatsoever outside the Company's control including failure by Client to comply with any of its obligations provided for in clause 3 above the Company shall nevertheless be entitled to payment of:

- (1) the amount of all non-refundable expenses incurred by the Company; and
- (2) a proportion of the agreed fee equal to the proportion of the services actually carried out.

5. Suspension or Termination of Services

The Company shall be entitled to immediately and without liability either suspend or terminate provision of the services in the event of:

(a) failure by the Client to comply with any of its obligations hereunder and such failure is not remedied within 10 days that notice of such failure has been notified to Client; or

(b) any suspension of payment, arrangement with creditors, bankruptcy, insolvency, receivership or cessation of business by Client.

6. Liability and Indemnification

(a) Limitation of Liability:

(1) The Company is neither an insurer nor a guarantor and disclaims all liability in such capacity. Clients seeking a guarantee against loss or damage should obtain appropriate insurance.

(2) Reports of Findings are issued on the basis of information, documents and/or samples provided by, or on behalf of, Client and solely for the benefit of Client who is responsible for acting as it sees fit on the basis of such Reports of Findings. Neither the Company nor any of its officers, employees, agents or subcontractors shall be liable to Client nor any third party for any actions taken or not taken on the basis of such Reports of Findings nor for any incorrect results arising from unclear, erroneous, incomplete, misleading or false information provided to the Company.

(3) The Company shall not be liable for any delayed, partial or total non-performance of the services arising directly or indirectly from any event outside the Company's control including failure by Client to comply with any of its obligations hereunder.

(4) The liability of the Company in respect of any claim for loss, damage or expense of any nature and howsoever arising shall in no circumstances exceed a total aggregate sum equal to 10 times the amount of the fee paid in respect of the specific service which gives rise to such claim or US\$20,000 (or its equivalent in local currency), whichever is the lesser.

(5) The Company shall have no liability for any indirect or consequential loss (including loss of profits).

(6) In the event of any claim, Client must give written notice to the Company within 30 days of discovery of the facts alleged to justify such claim and, in any case, the Company shall be discharged from all liability for all claims for loss, damage or expense unless suit is brought within one year from:

- (i) the date of performance by the Company of the service which gives rise to the claim; or
- (ii) the date when the service should have been completed in the event of any alleged nonperformance.

(b) Indemnification: Client shall guarantee, hold harmless and indemnify the Company and its officers, employees, agents or subcontractors against all claims (actual or threatened) by any third party for loss, damage or expense of whatsoever nature including all legal expenses and related costs and howsoever arising relating to the performance, purported performance or non-performance, of any services.

7. Miscellaneous

(a) If any one or more provisions of these General Conditions are found to be illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

(b) During the course of providing the services and for a period of one year thereafter Client shall not directly or indirectly entice, encourage or make any offer to Company's employees to leave their employment with the Company.

(c) Use of the Company's corporate name or registered marks for advertising purposes is not permitted without the Company's prior written authorisation.

8. Governing Law, Jurisdiction and Dispute Resolution

All disputes arising out of or in connection with contractual relationships hereunder shall be governed by and construed in accordance with the substantive laws of Australia exclusive of any rules with respect to conflicts of laws. All these disputes shall be submitted to the exclusive jurisdiction of the competent courts of Western Australia.

11.3 ENGINEERING SERVICES**11.3.1 Director Engineering Services***11.3.1.1 Engineering Services Monthly Report (File No.: 13/04/0001)*

Officer Russell Dyer
Acting Director Engineering
Services

Date of Report 15 July 2009

Disclosure of Interest by Officer Nil

Summary

Council's Engineering Directorate has provided an update on the projects that they are currently managing.

Background

The Engineering Department is currently managing over 60 projects. The attached report is project management focused.

Consultation

Engineering Services officers.

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications

The projects within the monthly report reflect the priorities of the Town's Plan for the Future 2008-2013.

Budget Implications

The projects listed in the Engineering Monthly report have been included in Council's 2008/09 budget.

Officer's Comment

Nil.

Attachments

1. Works Schedule
2. Airport PAX numbers

3. Recreation Update

Officer's Recommendation

That Council receives the Engineering Services monthly report for June 2009.

200910/013 Council Decision

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Agenda Item 11.3.1.1 'Engineering Services Monthly Report (File No.: 13/04/0001)' lay on the table until the next meeting.

CARRIED 9/0

REASON:

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

Legend

| | |
|--|---|
| | Concept & design development |
| | Approvals/Services/Community Consultation |
| | Procurement/Tender |
| | Construction/works undertaken |

Cyclone Watch/Season



| A/c Number | A/c Description | July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | June | COMMENTS |
|------------|---|------|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|------|--|
| 1108420 | Hawks Clubrooms Scope: Installation of temporary clubhouse at McGregor Street Reserve | | | | | | | | | | | | | Building contractor currently liaising with Manager Building Services for building approval. Transportable ordered - awaiting approval to install prior to requesting freight. |
| 1108420 | Diamond 1 Backnet Scope: Replacement of backnet at Diamond 1 following Cyclone George | | | | | | | | | | | | | Order placed. Engineering crew to install backnet once all components arrive. |
| 1107430 | SHAC Upgrade Scope: Replacement of filters and installation of shade structures | | | | | | | | | | | | | Carry Forward Project. Filters being replaced week of 20th July. All shades ordered - currently being made. |
| 1106430 | GAC Upgrade Scope: Replacement of filters and installation of shade structures | | | | | | | | | | | | | Carry Forward Project. Filters being replaced week of 20th July. All shades ordered - currently being made. |
| 1109451 | McGregor Street Oval Upgrade Scope: Completion of Master Plan for McGregor St Reserve | | | | | | | | | | | | | Carry Forward Project. Final Master Plan complete, with presentation to Council briefing scheduled for August 09. Consultation with stakeholders to follow, prior to sign-off by Council. |
| 1111437 | Recreation Reserve Redevelopment Scope: Upgrade of oval and irrigation at Colin Matheson Oval | | | | | | | | | | | | | C/F Project. Designs being undertaken as approved at May 09 OCM. Final report due September 09, with construction expected to commence Sept 09 (works to be undertaken in-house). |
| 1108269 | Multi-Purpose Rec. Centre - Architectural Design Scope: Completion of Architectural Designs | | | | | | | | | | | | | C/F Project. Architectural Designs being completed and due October 2009. Schematic design endorsed by Council at OCM May 09. |
| 1109455 | Colin Matheson Clubrooms Scope: Design and Construction of Colin Matheson Clubrooms | | | | | | | | | | | | | C/F Project. D&C tender presented to OCM June, with decision deferred. Currently seeking clarification with regards to scope. Also seeking quotes for Business and Management Plan, to be presented to August OCM. |
| 1201440 | Cycleway Development Scope: Year 1 component of the Town Cycle Plan | | | | | | | | | | | | | C/F Project. Royalties for Regions application denied, so Town Cycle plan Year 1 only to be undertaken. Tender specifications being developed for the Design of the path from Port to South Hedland. Other projects being timelined. |
| 1111446 | Shadesails - Pulley system Scope: Installation of pulley system to shadesails at Cemetery Beach and Pretty Pool parks | | | | | | | | | | | | | Contractor has advised that pulley system will be installed when wind conditions are suitable. Staff are following up to ensure completion of project. |
| 1009480 | Old Port Hedland Cemetery Scope: Landscaping and verge treatment along Sutherland street adjacent to Old PH Cemetery | | | | | | | | | | | | | Concrete crossover is complete. Installation of crackerdust to verge will complete project, scheduled for July. |

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

Legend

| | |
|--|---|
| | Concept & design development |
| | Approvals/Services/Community Consultation |
| | Procurement/Tender |
| | Construction/works undertaken |

Cyclone Watch/Season



| A/c Number | A/c Description | July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | June | COMMENTS |
|------------|---|------|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|------|---|
| 1201487 | Street Lighting Upgrades Scope: 0809 stage 2 - Captains, Dongara, Dulverton, Koolama, Scadden, plus 0910 | | | | | | | | | | | | | Project is 70% complete with invoices not yet received from Horizon Power. Must be completed by end of September in accordance with CLFG conditions (on track). |
| 1201411 | Richardson street Parking Scope: Design and installation of street parking on Richardson street (kerbing, linemarking, tree planting) | | | | | | | | | | | | | Survey data has been received, now progressing with final designs to enable approvals. On schedule for completion prior to end of September as per CLGF conditions. |
| new | Finucane Island Boat Ramp shade Scope: Installation of 1 shade structure | | | | | | | | | | | | | Finalising quotes for shade structure prior to placing order. |
| new | Playground Shade Scope: Installation of shade at Daylesford and Marapikurrinya parks | | | | | | | | | | | | | Finalising scope requirements. |
| new | Disabled Beach Access Scope: installation of disabled access to Cemetery Beach | | | | | | | | | | | | | Disabled beach access extends from Turtle Loop pavilion. Scope under review as unlikely that Turtle Loop project will be complete by end September, delaying this project which is against CLGF conditions. |
| 1105424 | Port Hedland Boat Ramp Scope: Installation of channel beacons, replace/repairs jetty railings | | | | | | | | | | | | | Channel beacons to be installed by PHPA by end of July. Repairs/replacement of jetty railings/steps to be carried out by Depot staff. |
| 1009481 | Cemetery Upgrade Scope: Concrete lintels, replace plot markers | | | | | | | | | | | | | Concrete lintels and installation of plot markers to be completed by August. Still waiting on plot markers to arrive (ordered November 2008). |
| 1201481 | Walkway/Park Lighting Scope: Baler car park, Lions park, Koombana Lookout, Greene place and Civic Centre walkway | | | | | | | | | | | | | EPA application submitted for lighting to walkway behind Civic Centre (Crawford street to All Seasons Hotel) to ensure sensitivity to turtle nesting area. Expect approvals mid August. Order raised for Koombana Lookout lighting (entrance road). |
| 1111448 | Kevin Scott Oval Reservoir Flushing System Scope: Installation of flushing system to re-use water tanks (Tender 09/01) | | | | | | | | | | | | | Initial water pressure tests indicate that a separate water tank may be required for flushing system as per option 2 in tender. This will impact on budget and schedule. Final analysis still pending. |
| 1203440 | Floodwater Pump Upgrade Scope: Design and installation of new electrical cabinet at West End Flood Pumps | | | | | | | | | | | | | Works not yet commenced on separate design component. Anticipate completion prior to wet season. |
| 1201439 | Public Infrastructure Scope: Bins, Seating, Shade etc | | | | | | | | | | | | | Finalising procurement prior to placing orders. Bus shelters have arrived, installation pending contractor quotes. |
| 1111436 | Bore Installations | | | | | | | | | | | | | Test drilling for groundwater quality and quantity has commenced. Results will |

FINANCIAL PROGRAMME FOR ENGINEERING SERVICES FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

Legend

| | |
|--|---|
| | Concept & design development |
| | Approvals/Services/Community Consultation |
| | Procurement/Tender |
| | Construction/works undertaken |

Cyclone Watch/Season

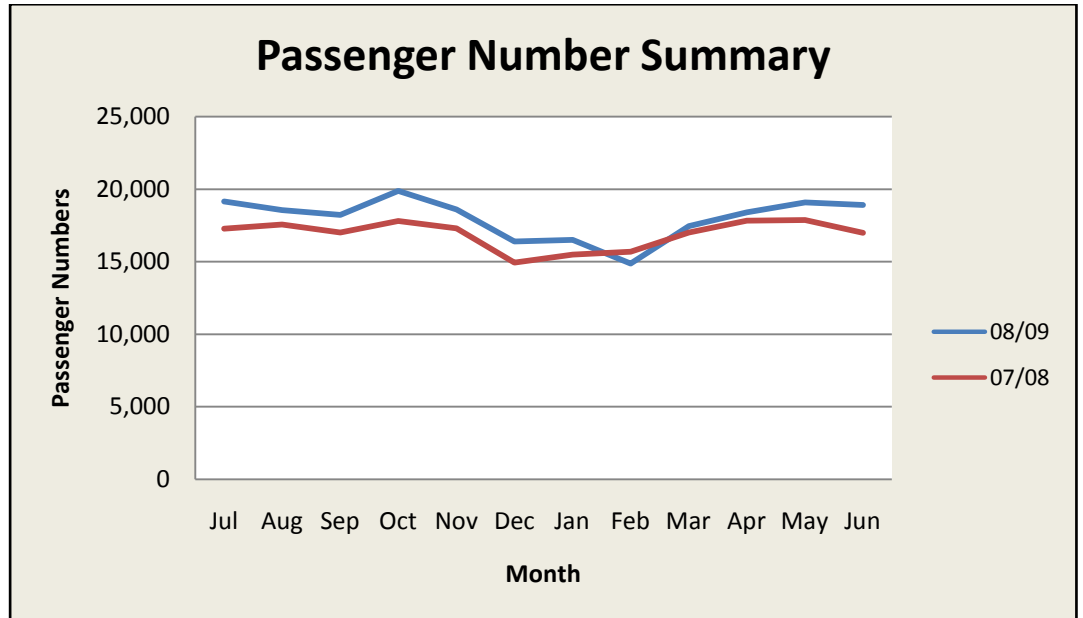


| A/c Number | A/c Description | July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | June | COMMENTS |
|------------|--|------|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|------|---|
| | Scope: Investigation and installation of bores at McGregor street and KSO re-use tanks | | | | | | | | | | | | | include costs estimates for bore installation if suitable, which will be presented to Council and Dept of Water prior to proceeding. |
| 1201458 | Throssell Street Streetscape Scope: median planting, street trees, turf, banner poles, garden planting | | | | | | | | | | | | | Works progressing. Banner poles ordered, content of poles to be organised by Publicity Officer/Events Co-ordinator. Retic design due mid August. |
| 1201438 | West End Greening Stage 2 Scope: Shrub, tree planting and retic - Frewer to Short street | | | | | | | | | | | | | Works progressing. Scope changed as per June OCM to include planting (shrubs and trees) only. |
| 1111435 | Stairway to the Moon Scope: Viewing platform construction near Taylor street, dune rehab, interpretive signage, car park | | | | | | | | | | | | | Royalties for Regions and CoastWest funding were both unsuccessful. Current budget is inadequate. Staff are assessing costs of staging the project, although this may not be permitted under Planning requirements. |
| 1105426 | Turtle Interpretive Loop Scope: Pavillion & nodes from Cemetery beach/GAC/All Seasons loop, interpretive signage | | | | | | | | | | | | | Approval to proceed with design to tender stage at June OCM. Engineers are finalising design and costings. Construction timeframe will be pending consultation with Environmental organisations due to turtle nesting season. |
| 1201437 | Hedditch - Forrest Circle Rd Scope: Design (only) of road link from Hedditch to Forrest circle | | | | | | | | | | | | | Finalising procurement prior to awarding design contract. Construction stage pending cost estimates (after design) and budget approval. |
| 1201461 | Town Entry Statement Scope: Landscaping component at GNH information bay sculpture | | | | | | | | | | | | | Project is construction ready however can't progress until the installation of the sculpture at the Visitors Bay. |
| 1111439 | Marquee Park Development Scope: Development of an iconic park on Cottier drive, South Hedland. Water play, playgrounds, kiosk, cctv, caretaker, landscaping, etc | | | | | | | | | | | | | Detailed design progressing. MID meeting with City of Swan staff to review the new water play park in Ellenbrook to better understand materials, technologies, project issues and operations. |
| 1201483 | Nth Circular Rd East Culverts Scope: Widen culverts to A.S., install new headwall | | | | | | | | | | | | | Requires culvert installation and headwall construction to complete project. |
| 1201435 | Cottier road (Blackspot) Scope: Remove hazards (various) as per RSA | | | | | | | | | | | | | Confirming deletion of this project due to conflict with other projects (future SHNL subdivisions, Marquee park, etc). Funding to be reallocated to another project (to be approved by Main Roads WA and Council). Review ongoing. |

ATTACHMENT 2 TO AGENDA ITEM 11.3.1.1

Port Hedland International Airport

Monthly Passenger Numbers



11.3.2 Port Hedland International Airport**11.3.2.1 Common User Check-in Facilities at Port Hedland International Airport Terminal (File No.: 30/08/0021)**

Officer Bob Couzens
Manager Airport

Date of Report 10 July 2009

Disclosure of Interest by Officer Nil

Summary

The purpose of this report is to seek Council approval for additional funds to be made available to complete the installation of common user check-in facilities and associated works, in the Port Hedland International Airport terminal.

Background

Following the decision to introduce a second RPT service into Port Hedland (being Virgin Blue), it was determined that additional check-in facilities would be required in order to accommodate this additional service.

It was decided that the best way to achieve this was to create a common user check-in area and facilities, with each airline or user paying a rental fee to use the area, rather than installing check-in facilities specific only to one user.

At its Ordinary Council Meeting held on 27th May 2009, Council resolved in part that:

“That Council advises Virgin Blue Australia:

- i) that it reiterates its previous decision 200809/218 resolved at its Special Meeting held on 2 February 2009, to Virgin Blue Australia, as follows:*

“1. Advises Virgin Blue Australia that it will provide the following revised incentives to secure Virgin Blues Airline Flights to Port Hedland International Airport:

- a) Fit out of a service desk at the Port Hedland International Airport, to a maximum value of \$40,000, and ... “*

Following this decision, Council's Airport Manager commenced investigations to find out the likely costs involved with the installation of the common user check in counters and associated works.

The total estimate came in at \$91,000. (This estimate does not include the installation of an integrated visual flight information display system or the conveyor system required for the check in facilities).

Given the estimated price for this work to be completed, a recommendation was put forward at the Airport Working Group Meeting held on 16th June 2009 that:

“The working group recommends to Council that the budget for the above works be increased from \$40,000 to \$91,000 with the additional funds coming from Airport Reserves “

This recommendation needs to be considered and endorsed by Council, along with the request for further funds for the flight information display system and conveyor system, as outlined in the remainder of this report.

Consultation

Director Engineering Services
Airport Working Group

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

KRA 1 – Infrastructure, Goal 3 – Airport:

Strategy 1: Undertake necessary capital upgrades to the airport.

Strategy 2: Develop a comprehensive master plan for the development of the Port Hedland International Airport as the precursor to determining long term development and management alternatives for the facility.

Budget Implications

A total of \$394,000 is required in order to complete all aspects and stages of this project (see below for cost breakdown).

Stage 1:

Common user check in counters and departure gates: In addition to the \$40,000 already allocated for this, another \$51,000 will be required to complete these works.

Visual flight information display system: An amount of \$65,000 will be required to complete these works.

Stage 2:

Common user conveyor system: An amount of \$278,000 will be required to complete stage two of this project.

It is proposed that the above funds be taken from the Airport Reserves account.

Officer's Comment

Stage 1:

This stage of the project involves the construction, delivery and installation of four (4) purpose built common user check in counters, and three (3) purpose built departure gates. This also includes all associated subsidiary works for the installation.

To tie in with the installation of the new common user check-in facilities, it is recommended that a fully integrated visual flight information display system (complete with 6 LCD display screens) be purchased and installed also. This is a specialised and fully automated system, which updates every couple of minutes.

As well as displaying flight arrival and departure information for all airlines (which can be accessed from anywhere in the world), there will be the capability of linking to the Town of Port Hedland website; as well as providing information on car hire services and accommodation, etc. Revenue can be gained from these companies for any advertising that is displayed.

The installation of this system will assist with bringing the Port Hedland International Airport terminal up to the same standard as other international and major airports.

The additional funds requested will allow for all of the above works to be completed. This is considered a necessary step in setting up the airport into the future.

Stage 2:

Stage two of the project involves the manufacture, supply and installation of conveyors, scale plate belt conveyors and injectors, as well as controls and ancillaries for the 4 common user check-in counters.

This conveyor system will link in with the existing checked bag x-ray screening (CBS) conveyor system, and will allow the common user facilities to be completely functional into the future.

It would make sense and achieve economies of scale if when the common user conveyor system is ordered, that the baggage carousel proposed for installation in the international baggage area also be ordered (\$120,000.00), as there would be a large saving in freight and installation costs by doing this at the same time.

At its Ordinary Council Meeting held on 23rd April 2008, Council resolved in part that:

“That Council:

- i) proceed with the procurement of CBS EDS X Ray Equipment without calling tenders in accordance with section 3.57 (2) (f) of the Local Government Act, due to the unique nature of the equipment;...”*

This work was subsequently awarded to Glidepath to complete. As such, Glidepath are familiar with the existing CBS conveyor system as well as being familiar with the layout of the terminal and all associated equipment.

Given Glidepath’s previous involvement with the installation of the existing CBS conveyor system, they will be able to ensure complete integration between the two systems, with minimal fuss.

As such, it is recommended that Glidepath be used for the installation works for the common user conveyor system and the installation of the international baggage carousel.

Attachments

Nil

200910/014 Council Decision/Officer’s Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That Council:

- i) approve that the budget for the installation of the common user check in facilities be increased by \$51,000 (as per the recommendation put forward at the Airport Working Group meeting held on the 16th June 2009), with the additional funds to be allocated from the Airport Reserves account;
- ii) approve additional funding of \$65,000, to be allocated from the Airport Reserves account, in order to complete the installation of a fully integrated visual flight information display system (including 6 LCD display screens) in the Port Hedland International Airport terminal;

- iii) approve additional funding of \$278,000, to be allocated from the Airport Reserves account, in order to complete stage two of the common user check-in facilities project (being the manufacture, supply and installation of a conveyor system to link the new common user check in counters with the existing CBS conveyor system);
- iv) approve for the proposed international baggage carousel (\$120,000 already assigned) to be ordered at the same time as the conveyor system for stage two of the project (as mentioned above), in order to achieve savings on freight and installation costs; and
- v) approve for Glidepath to be contracted to complete the installation of the common user conveyor system, and the international baggage carousel, without going to Tender. This is due to the unique nature of the equipment and also Glidepath's previous involvement with the upgrade works to the terminal and the installation of the existing checked bag screening conveyor system.

CARRIED 9/0

11.3.3 Recreation Services**11.3.3.1 Request to Waive Fees – Mitro Enterprises (File No.: 02/05/0003)**

Officer Bec Pianta
Manager Recreation Services

Date of Report 8th July 2009

Disclosure of Interest by Officer Nil

Summary

Council has received a request from Mitro Enterprises to waive fees associated with their use of the front functions area at Kevin Scott Oval during their non-trading use of the area and amenities for a three (3) day period, totaling \$900. The letter to Council is attached.

Background

Mitro Enterprises has written to Council regarding the charges incurred during the 15th – 17th June for reserve and amenity hire, during which time the front functions area at Kevin Scott Oval was utilised, but no trading occurred. Mitro Enterprises traded from the 18th – 20th June as a fun fair. The request to Council is for the consideration of the waiver of fees for the three day period prior to trading, totaling \$900.

Mitro Enterprises had requested use of Kevin Scott Oval Front Functions Area for the 18th – 20th June and were invoiced accordingly, however arrived at the reserve on the 15th June to commence set-up. During this time, accommodation, access to ablutions, showers and reserve was allowed.

As per the 2008/09 Schedule of Fees and Charges, the Town of Port Hedland charges \$300 per day for any commercial use of a reserve; therefore, Mitro Enterprises have been charged \$1,800 for their 6 day use.

As part of the 2007/08 budget process, Council endorsed that the following would apply with regards to discounts for community facilities:

| | |
|---|-------------|
| <i>...Community Facilities</i> | |
| <i>Discounts – Hire fees – All facilities</i> | |
| <i>Community Groups</i> | <i>25%</i> |
| <i>Junior Community Groups</i> | <i>50%</i> |
| <i>Not for Profit, no Alcohol, and Open to Public no charge</i> | <i>100%</i> |

*Bond – All Events/All Facilities (unless stated otherwise)
...Commercial – No Alcohol \$1,000”*

Mitro Enterprises are a commercial operation, and as such, no discount applies. The following fees and charges were therefore applied to the six-day booking:

| | |
|---------------------------------------|-------------------|
| Hire: 6 days at \$300 per day | \$1,800 |
| Additional bins: 10 at \$41.60 each | \$ 416 |
| Electricity use: 818 units at \$0.175 | \$ 143.15 |
| TOTAL: | <u>\$2,359.15</u> |

It needs to be noted that a refundable bond of \$1,050 was applied to this booking for use of the reserve and key access, which has since been returned.

Consultation

Manager Recreation Services
Manager Corporate Support
Administration Coordinator
Sports and Recreation Officer

Statutory Implications

Section 6.12 of the Local Government Act 1995 (Power to defer, grant discounts, waive or write off debts) states:

- “(1) Subject to subsection (2) and any other written law, a local government may –*
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) waive or grant concessions in relation to any amount of money; or*
 - (c) write off any amount of money, which is owed to the local government.*
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.”*

Policy Implications

Nil

Strategic Planning Implications

Nil

Budget Implications

Should the Town of Port Hedland approve this request, Council will forgo revenue of \$900 for this event and, should a precedent be set, may be subject to additional lost income in the future.

Officer's Comment

The Town of Port Hedland applies fees and charges to groups utilising Council maintained reserves and facilities to recover some of the costs of maintaining these facilities. Discounts apply to community, junior and not-for-profit groups due to the non-commercial status of their operations and their ability to generate income. Commercial organisations have the ability to obtain revenue whilst trading from Council reserves, therefore no discounts apply. Any use of a Council reserve by an organisation also means that other income-earning potential is lost.

During the period of no trading, Mitro Enterprises were still utilising the South Hedland Sporting Precinct for the following purposes:

- Accommodation
- Ablutions
- Showers
- Electrical connections (on-charged)

As these services and facilities are provided and maintained by the Town of Port Hedland, it is therefore considered reasonable to recommend the refusal of this request for waiver, and charge Mitro Enterprises as per the 2008/09 Schedule of Fees and Charges.

Council therefore has two (2) options:

1. Deny the request for waiver of fees for 15th – 17th July totaling \$900; or
2. Approve the request for waiver of fees for the 15th – 17th July totaling \$900 for the June 2009 fun fair.

Attachment

Letter from Mitro Enterprises. Dated 17th June 2009.

Officer's Recommendation

That Council advises Mitro Enterprises that the request for the waiver of fees and charges for reserve hire from the 15th – 17th June is denied, due to the reserve being utilised by the organisation during these dates.

200910/015 Council Decision

Moved: Cr A A Carter

Seconded: Cr S J Coates

That Council advises Mitro Enterprises that the request for the waiver of fees and charges for reserve hire from the 15th – 17th June is approved, due to the reserve being utilised by the organisation during these dates.

CARRIED 9/0

REASON: Council resolved to waive fees and charges for Mitro Enterprises as requested.

ATTACHMENT TO AGENDA ITEM 11.3.3.1



ENTERTAINMENT

**FAIRS, FESTIVALS AND FIREWORK SPECIALISTS
 P O BOX 6612 EAST PERTH WA 6892
 PH: 0418921256 EMAIL: mitroent@bigpond.com**

Councillors
 Town of Port Hedland

17th June, 2009

Dear Sir/Madam,

| | |
|-----------------------------|---------------|
| TOWN OF PORT HEDLAND | |
| RECORD No. | 09/103/44 |
| OFFICER..... | Rec D&S |
| 18 JUN 2009 | |
| FILE No. | 02/05/0003 |
| ACTION DATE..... | Rec |

I have been operating carnival equipment in Port Hedland for many years now. So long, in fact that we were trading back when Spinifex Spree was held on Sunday 12-5pm in Wedge Street. We were the first travelling carnival to introduce a fireworks display. Fireworks is a costly and time consuming operation taking many hours of set up time. We feel we have brought something special to the north-west with the introduction of what now, is something special for the people of Port Hedland to look forward to every year. We bring this with free entry at no extra cost to our patrons. Over the many years, we have worked hard at bringing a variety of better attractions to the town and even though we have had to endure the ever rising costs of employment, fuel and heavy machinery maintenance, wear and tear, we have done our best to provide a free entry entertainment weekend. In short, we do our best to provide an entertaining service to the communities of Port and South Hedland while doing our level best to keep our amusements affordable to families who are our main stay customers.

*July
ocm.
xi*

So, it was with great dismay, when I approached the Town of Port Hedland administration yesterday, that a further \$900.00 for the rental costs of the gravel area adjacent to the playing field at Kevin Scott Oval would be charged to us for our three set up days. Clearly, we are not trading on these days. This time is used to set up our gear and rides and make sure all is in good working order before we begin our three nights of trade. We are a fairly big travelling carnival and the few days we take for the set up are very necessary to insure that everything is organized in time for our first big night at South Hedland.

We already incur costs of \$1050.00 in bonds, \$900.00 in rents, a huge increase in bin rentals of \$416.00 this year and a power bill of around \$300.00 that we pay at a later date. I am hopeful that you may understand our position when we request that you waiver this extra fee that has been asked of us. We are certainly loathe to increase our

prices any further in a year of recession which has brought hardship to some families and businesses, many of whom have patronized us over the years. This extra fee was not in our budget and we have seen no inflation upon our other carnivals in other north-west areas.

You can be assured that we do our utmost to ensure a safe and happy family environment for our three operating days in South Hedland.

Awaiting your reply,
Yours truly,

A handwritten signature in black ink, appearing to read 'Mitchell Ross', written over a light blue horizontal line.

Mitchell Ross
Proprietor

11.3.3.2 Regional Aquatic Management Contract (File No.: 26/13/0006)

| | |
|--|---|
| Officer | Bec Pianta Manager Recreation Services |
| Date of Report | 15 th July 2009 |
| Disclosure of Interest by Officer | Nil |

Summary

The Town of Port Hedland accepted the YMCA's tender bid for the Management and Operation of the Gratwick Aquatic Centre and South Hedland Aquatic Centre in April 2009. The final Management Contract is attached for Council's perusal prior to the signing of the document.

Background

The Pilbara Regional Council (PRC) called tenders for the Management and Operation of all Aquatic Centres within the Town of Port Hedland, Shire of Roebourne and Shire of East Pilbara in September 2008. The contract period for the proposed tender was from 1st July 2009 – 30th June 2011.

Information with regards to the Regional Aquatic Tender was presented at the Ordinary Council Meeting in both November 2008 and at the Special Council Meeting in March 2009, and, at the Ordinary Council Meeting on the 22nd April 2009 it was resolved that Council advise the YMCA that:

- “...i) the tender submission in response to the Pilbara Regional Council Tender 08/09 – T1 [Town of Port Hedland element] by the YMCA Inc. for the Management and Operation of the Gratwick and South Hedland Aquatic Centres be accepted pending the following:*
- a) agreement between the Chief Executive Officer and his nominated representative/s on performance measures (to be based on the YMCA tender submission), where any non-achievement can be considered a breach of contract; and*
 - b) alterations to the tender submission and contract to include provision of housing at SHAC and updated budget;*
- ii) the negotiated budget submission as part of the Pilbara Regional Council 08/09 – T1 [Town of Port Hedland element] by accepted at the following rate (to be invoiced on a monthly basis):*

- a) \$489,962 for 1st Jan – 30th June 2009;
- b) \$980,831 for 2009/10 financial year;
- c) \$1,010,256 for 2010/11 financial year

iii) *the contract documents are to be forwarded to Council prior to the signing of the Management Agreement.”*

The documents have been altered according to the resolution above, and performance measures have been developed. As per item iii), the Management Agreement is now attached for Council perusal prior to signing.

Consultation

The clarifications and completion of the Management Contract was undertaken by:

- Manager Recreation Services
- Director Engineering
- Chief Executive Officer

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

KRA 3: Goal 2 – Sports and Leisure
Identify and implement opportunities to sustainably upgrade programs and services at the Town Aquatic Facilities.

Budget Implications

The budget for the operation and management of Gratwick and South Hedland Aquatic Centres has already been endorsed by Council; should Council endorse the officer's recommendation there will be no additional expense to Council.

Officer's Comment

At the Special Council Meeting in April 2009, Council endorsed the acceptance of the YMCA tender bid for the management and operation of Gratwick and South Hedland Aquatic Centres, providing minor changes to the management agreement were made. These alterations have since been undertaken.

Attachments

1. Management Agreement
2. Budget 2009/10 – SHAC
3. Budget 2009/10 – GAC

7:12 pm Councillor J M Gillingham left the room.

Officer's Recommendation

That Council endorses the attaching of the Common Seal of the Town of Port Hedland in accordance with its articles of association, in the presence of the Mayor and Acting Chief Executive Officer, to the Management Agreement for the Management and Operation of the Gratwick and South Hedland Aquatic Centres.

200910/016 Council Decision

Moved: Cr G D Bussell

Seconded: Cr K A Howlett

That Agenda Item 11.3.3.2 'Regional Aquatic Management Contract' lay on table for consideration at next available Council meeting, subject to opening hours being included in contract.

CARRIED 8/0

REASON: Council is seeking opening hours to be included in the Regional Aquatic Management Contract.

11.4 GOVERNANCE AND ADMINISTRATION**11.4.1 Corporate Services****11.4.1.1 *Financial Reports to Council for Period Ended 31 May 2009 (File Nos: FIN-008, FIN-014 and RAT-009)***

Officer Lee Crombie
Senior Finance Officer

Date of Report 17 July 2009

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town to 31 May 2009, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2007/08.

Background**1. *Financial Statements***

Presented (see attachments) in this report for the financial period ended 31 May 2009, are the:

- Statements of Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 31 May 2009;
- Review of Transaction Activity.

Note: Interest Rates for investments are selected from those provided from the following financial institutions: National Australia Bank, BankWest, Commonwealth Bank, Macquarie Bank, AMP, Westpac Bank, Big Sky, Citigroup and the Australian and New Zealand Bank.

2. *Utility and Fuel Costs*

Presented in graph form (see attached), is the 2008/09 monthly water, power and fuel costs compared with 2007/08.

3. Schedule of Accounts Paid

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 22 July 2009 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

| Voucher No's | | Value \$ | Pages | | Fund No. | Fund Name | Description |
|--------------------|-----------------|--------------|-------|----|----------|----------------|--|
| From | To | | From | To | | | |
| CHQ18857 | CHQ18909 | 96,361.78 | 1 | 9 | 1 | Municipal Fund | |
| EFT25473 | EFT25808 | 3,346,853.27 | 9 | 62 | 1 | Municipal Fund | |
| CMS070509 | CMS070509 | 192.39 | 62 | 62 | 1 | Municipal Fund | Photocopier Lease – Engineering Department |
| PAY050509 | PAY050509 | 272,185.89 | 62 | 62 | 1 | Municipal Fund | |
| PAY190509 | PAY190509 | 263,788.20 | 63 | 63 | 1 | Municipal Fund | |
| BOQ270509 | | 891.10 | 63 | 63 | 1 | Municipal Fund | Finance Equipment |
| | Municipal Total | 3,980,272.63 | | | | | |
| 3001604 | | 20,759.45 | 63 | 65 | 3 | Trust Fund | |
| | Trust Total | 20,759.45 | | | | | |
| | Sub-Total | 4,001,032.08 | | | | | |
| LESS: one-off pays | | - | | | | | |
| | Total | 4,001,032.08 | | | | | |

Consultation

Nil

Statutory Implications

Financial Statements

Regulation 34 of the Local Government (Financial Management Regulations), states as follows:

“34. Financial activity statement report - s. 6.4

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:*
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) budget estimates to the end of the month to which the statement relates;*

- (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing:*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown:*
- (a) *according to nature and type classification;*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:*
- (a) *presented to the council:*
 - (i) *at the next ordinary meeting of the council following the end of the month to which the statement relates; or*
 - (ii) *if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;*
and
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.*

In this regulation:

“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;

“restricted assets” has the same meaning as in AAS 27.

Section 6.12 of the Local Government Act 1995 (Power to defer, grant discounts, waive or write off debts) states:

- “(1) Subject to subsection (2) and any other written law, a local government may –*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) *wave or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money,*

which is owed to the local government.

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.”

Policy Implications

2/003 Financial Statements – Copies for Councillors

Apart from the financial reports presented to Council as required by way of legislation, the following reports will be presented to Council:

- Monthly
 - Bank Reconciliation of the Municipal, Reserve and Trust Fund
 - +90 day outstanding Sundry Debtors Report
 - List of Accounts paid under Delegated Authority
 - Register of Investments
 - Rate Summary Trial Balance
 - Reserve Account Balances

- Quarterly
 - Quarterly Budget Review
 - Report on all Budgeted Grants of \$50,000 or more.

Irregular Financial reports will be presented to Council on request.

Strategic Planning Implications

Key Results Area 5 Environment
Goal 2 Natural Resources
Strategy 1. Continue to monitor and report on the level of Council's energy, fuel and water use.

Budget Implications

At the Special Meeting held on 9 July 2008, Council resolved to adopt item ... Budget Adoption, which included Recommendation 12 as follows:

“Recommendation 12

That Council adopts the following percentage or dollar value for determining and reporting material variances as follows:

- 1. 10% of the Function amended budget; or*
- 2. \$100,000 of the Function amended budget*

whichever is the lesser, for the following categories of revenue and expenditure:

- a. Operating Revenue*
- b. Operating Expenditure*
- c. Non-Operating Revenue*
- d. Non-Operating Expenditure”*

Officer's Comment

For the purpose of explaining Material Variance (Expense/Revenue Up or Down, and see attachment Schedule 2) a three-part approach was taken:

Period Variation

Relates specifically to the value of Variance between the Budget and Actual figures for the period of the report.

Primary Reason

Identifies the primary reasons for the period Variance. As the report is aimed at the higher level analysis, minor contributing factors are not reported.

Budget Impact

Forecasts the likely \$ impact on the Amended Annual Budget position. It is important to note that figures in this part are 'indicative only' at the time of reporting, and that circumstances may subsequently change.

Attachments

- Page 1–3 of 12. Schedule 2 being a Statement of Financial Activity
- Pages 4 to 12. Notes 3 to 12 which form part of the Statements of Financial Activity. Also Note 10 – May 2009 Bank Reconciliations.
- Pages 1 to 49. Detailed Financial Activity by Program.
- May 2009 Accounts for Payment
- Comparison Between 2007/08:2008/09 Utility & Fuel Costs

7:13 pm Councillor J M Gillingham re-entered the room and assumed her chair.

200910/017 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr J E Ford

That:

- i) the:
 - a) **Statements of Financial Activity (represented by Schedules 2 to 14);**
 - b) **Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 31 May 2009; and**
 - c) **Review of Transaction Activity, as attached and/or presented be received;**
- ii) graphic representation of the Town's energy, water and fuel use as attached be received; and
- iii) the list of Accounts paid during May 2009 under Delegated Authority, as presented and/or attached be received.

CARRIED 9/0

11.4.1.2 Financial Reports to Council for Period Ended 30 June 2009 (File Nos: FIN-008, FIN-014 and RAT-009)

Officer Lee Crombie
Senior Finance Officer

Date of Report 17 July 2009

Disclosure of Interest by Officer Nil

Summary

The objective of this item is to present a summary of the financial activities of the Town to 30 June 2009, and to compare this with that budgeted for the period. With regard to the Town's Utility and Fuel Costs, a comparison is made with 2007/08.

Background

1. Financial Statements

Presented (see attachments) in this report for the financial period ended 30 June 2009, are the:

- Statements of Financial Activity – see Schedules 2 to 14;
- Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 30 June 2009;
- Review of Transaction Activity.

Note: Interest Rates for investments are selected from those provided from the following financial institutions: National Australia Bank, BankWest, Commonwealth Bank, Macquarie Bank, AMP, Westpac Bank, Big Sky, Citigroup and the Australian and New Zealand Bank.

2. Utility and Fuel Costs

Presented in graph form (see attached), is the 2008/09 monthly water, power and fuel costs compared with 2007/08.

3. Schedule of Accounts Paid

The Schedule of Accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 22 July 2009 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costs.

| Voucher No's | | Value \$ | Pages | | Fund No. | Fund Name | Description |
|--------------------|-----------------|--------------|-------|----|----------|----------------|--|
| From | To | | From | To | | | |
| CHQ18910 | CHQ18962 | 212,215.77 | 1 | 8 | 1 | Municipal Fund | |
| EFT25809 | EFT26199 | 3,249,653.08 | 9 | 77 | 1 | Municipal Fund | |
| CMS090609 | CMS090609 | 192.39 | 77 | 77 | 1 | Municipal Fund | Photocopier Lease – Engineering Department |
| PAY020609 | PAY020609 | 274,467.26 | 9 | 9 | 1 | Municipal Fund | |
| PAY210409 | PAY160609 | 276,078.80 | 77 | 77 | 1 | Municipal Fund | |
| BOQ290609 | BOQ290609 | 891.10 | 77 | 77 | 1 | Municipal Fund | Finance Equipment |
| | Municipal Total | 4,013,498.40 | | | | | |
| 3001626 | 3001663 | 88,518.42 | 68 | 68 | 3 | Trust Fund | |
| | Trust Total | 88,518.42 | | | | | |
| | Sub-Total | 4,102,016.82 | | | | | |
| LESS: one-off pays | | - | | | | | |
| | Total | 4,102,016.82 | | | | | |

Consultation

Nil

Statutory Implications

Financial Statements

Regulation 34 of the Local Government (Financial Management Regulations), states as follows:

“34. Financial activity statement report - s. 6.4

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:*
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) budget estimates to the end of the month to which the statement relates;*

- (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing:*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown:*
- (a) *according to nature and type classification;*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be:*
- (a) *presented to the council:*
 - (i) *at the next ordinary meeting of the council following the end of the month to which the statement relates; or*
 - (ii) *if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;*
and
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.*

In this regulation:

“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;

“restricted assets” has the same meaning as in AAS 27.

Section 6.12 of the Local Government Act 1995 (Power to defer, grant discounts, waive or write off debts) states:

- “(1) Subject to subsection (2) and any other written law, a local government may –*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;*
 - (b) *wave or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money,*

which is owed to the local government.

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.”

Policy Implications

2/003 Financial Statements – Copies for Councillors

Apart from the financial reports presented to Council as required by way of legislation, the following reports will be presented to Council:

- Monthly
 - Bank Reconciliation of the Municipal, Reserve and Trust Fund
 - +90 day outstanding Sundry Debtors Report
 - List of Accounts paid under Delegated Authority
 - Register of Investments
 - Rate Summary Trial Balance
 - Reserve Account Balances
- Quarterly
 - Quarterly Budget Review
 - Report on all Budgeted Grants of \$50,000 or more.

Irregular Financial reports will be presented to Council on request.

Strategic Planning Implications

Key Results Area 5 Environment
Goal 2 Natural Resources
Strategy 1. Continue to monitor and report on the level of Council's energy, fuel and water use.

Budget Implications

At the Special Meeting held on 9 July 2008, Council resolved to adopt item ... Budget Adoption, which included Recommendation 12 as follows:

“Recommendation 12

That Council adopts the following percentage or dollar value for determining and reporting material variances as follows:

1. *10% of the Function amended budget; or*
2. *\$100,000 of the Function amended budget*

whichever is the lesser, for the following categories of revenue and expenditure:

- a. *Operating Revenue*
- b. *Operating Expenditure*
- c. *Non-Operating Revenue*
- d. *Non-Operating Expenditure”*

Officer's Comment

For the purpose of explaining Material Variance (Expense/Revenue Up or Down, and see attachment Schedule 2) a three-part approach was taken:

Period Variation

Relates specifically to the value of Variance between the Budget and Actual figures for the period of the report.

Primary Reason

Identifies the primary reasons for the period Variance. As the report is aimed at the higher level analysis, minor contributing factors are not reported.

Budget Impact

Forecasts the likely \$ impact on the Amended Annual Budget position. It is important to note that figures in this part are 'indicative only' at the time of reporting, and that circumstances may subsequently change.

Attachments

- Page 1–3 of 12. Schedule 2 being a Statement of Financial Activity
- Pages 4 to 12. Notes 3 to 12 which form part of the Statements of Financial Activity. Also Note 10 – June 2009 Bank Reconciliations.
- Pages 1 to 49. Detailed Financial Activity by Program.
- May 2009 Accounts for Payment
- Comparison Between 2007/08:2008/09 Utility & Fuel Costs

200910/018 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That:

- i) the:
 - a) **Statements of Financial Activity (represented by Schedules 2 to 14);**
 - b) **Notes (1 to 10) to and forming part of the Statements of Financial Activity for the period ending 30 June 2009; and**
 - c) **Review of Transaction Activity, as attached and/or presented be received;**
- ii) graphic representation of the Town's energy, water and fuel use as attached be received; and
- iii) the list of Accounts paid during June 2009 under Delegated Authority, as presented and/or attached be received.

CARRIED 9/0

11.4.2 Governance*11.4.2.1 Local Government Reform (File No.: ...)*

Officer Matthew Scott
Acting Chief Executive
Officer

Date of Report 10 July 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider how to proceed with the current Local Government Reform Process.

Background

At its Ordinary Meeting held in April, Council endorsed the Local Government Structural Reform Checklist, which was subsequently forwarded to the Department of Local Government.

Under the Minister Castrilli's reform strategies, by August 2009, Local Government's should have:

1. Made an informed decision on Voluntary Amalgamation; and
2. Decided the number of Councillors are within the required range of 6 to 9; and
3. Found appropriate regional groupings of Councils to assist with the efficient delivery of services.

As per the commentary of the April report on this matter, Council already meets the requirement of items 2 & 3, by the current size of Council (9 members) and its membership of the Pilbara Regional Council (PRC).

In order to finalise the Town of Port Hedland's obligations to the Minister, an "informed" decision needs to be formally made regarding voluntary amalgamation.

Though it was understood that the issue of voluntary amalgamations was to be discussed at the recent PRC meeting (June), it was not formally raised. In discussing the issue with the representative Chief Executive Officers, the following position of each Council was identified:

- Shire of East Pilbara – Does not consider it appropriate or necessary to amalgamate with any neighboring Local Governments (formal position of Council);
- Shire of Roebourne – Not supportive of any amalgamations;

- Shire of Ashburton - Broad view that the unique characteristics of the Pilbara region render amalgamations impractical.

Given these responses from the only practical amalgamation partners, it seems there is little to no chance for Port Hedland to commence any meaningful discussion regarding possible amalgamations.

Consultation

Chief Executive Officer - Shire of East Pilbara
Chief Executive Officer - Shire of Ashburton
Acting Chief Executive Officer - Shire of Roebourne

Statutory Implications

Though there are no statutory requirements for this reform process, Council should still consider the Minister's structural reform process.

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

There is the opportunity for Council to access a grant of up to \$10,000 to assist in considering the reform strategies. If Council was to access this grant it would have to demonstrate how the funds were utilised, being the contracting of a consultant or holding several public meetings (or both).

Officer's Comment

As per the previous report to Council, it seems the Ministers reform process is heavily targeted at the Wheatbelt and South West Councils, which include many small (and unsustainable Local Governments) with a relative low individual population base.

From a possible amalgamation position, there seems to be general reluctance from the Town's neighboring Councils to actively look at voluntary amalgamation options. It is somewhat understandable, given the distance between all major town sites and the general geographic area involved.

Council could take this opportunity to look at possible boundary alterations, through the use of the \$10,000 grant from the department. Currently there has been no work done on possible boundary changes, however a consultant may be better able to provide Council with some options to consider.

Attachments Nil

200910/019 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr G J Daccache

That Council:

- i) advise the Minister of Local Government, with regard to the current Local Government Structural Reform strategy and process, the following:
 - a) **the Town of Port Hedland currently has nine (9) elected members, and currently has no plan to further reduce this number; and**
 - b) **the Town of Port Hedland will continue to work with the Pilbara Regional Council and member Councils to efficiently deliver services, through resource sharing opportunities as they materialise; and**
 - c) **due to nature, characteristics and distance between major Pilbara townsites, The Town of Port Hedland acknowledges little value in pursuing voluntary amalgamations with any of our current neighboring Council's; and**
- ii) seek to obtain the \$10,000 funding Assistance from the Department of Local Government to investigate possible boundary alterations.

CARRIED 9/0

11.4.2.2 Study Tour of Darwin (File No.: ...)

Officer Matthew Scott
Acting Chief Executive Officer

Date of Report 13 July 2009

Disclosure of Interest by Officer Nil

Summary

For Council to consider arranging a study tour of the City of Darwin, as recommended by the State Premier, the Hon Colin Barnett, during his visit to Port Hedland earlier this month.

Background

Over the last 12 months, Council has debated the need to tour other emerging towns, locally, nationally and internationally, to discover opportunities and options that could benefit the Port Hedland Community.

Previous discussions have including visiting places such as:

- Gladstone (Qld)
- Port Augusta (SA)
- Alice Springs (NT)
- Dubai (UAE)

On 8 July 2009, the Mayor and Deputy Mayor toured with State Premier, and demonstrated the recent achievements of the Council aided by the State Government and other partners, in the District. After the tour, the Premier expressed his admiration of what the Town was achieving, and strongly suggested that the Town should consider visiting the City of Darwin.

The Premier recently visited Darwin, where the recent Council of Australian Government (COAG) meeting was hosted. During the visit, he toured the Darwin Waterfront Precinct.

The Darwin Waterfront Precinct is a 25 hectare former industrial site, south of the Darwin Central Business District, which is being redeveloped by both the Northern Territory Government (\$149 million) and private developers (\$900 million) to create an iconic tourist, entertainment and business precinct for the city. The development includes:

- Award Winning Convention centre;
- Wave lagoon/park;
- Business Park
- Several Hotels;
- Cruise Ship Terminals;
- Parks and other recreational facilities.

In suggesting Council should visit Darwin, the Premier commented on the similarities in climate and coastal location, between Port Hedland and Darwin. He also remarked on Council's recent ability to leverage government funds (\$20.2 million, R4R) to produce significant projects (\$43 million in 2009/10), similar to what the City of Darwin had achieved.

In recommending the visit, the Premier advised he would assist Council in arranging access to relevant Northern Territory Government Ministers and Departments through his department, the Department of Premier and Cabinet.

Consultation

Premier of the State of Western Australia

Statutory Implications Nil

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications

Should Council resolve to send 3 members and 3 officers (6 in total) to Darwin for 3 days, it is estimated to cost:

| Activity | \$ |
|-------------------------|----------|
| Flights (VBA or Qantas) | 12,000 |
| Accommodation & Meals | 5,400 |
| Incidentals & Transport | 1,800 |
| Total | \$19,200 |

This would be funded from both the Council's Conference and Training Budget (\$95,000) and the Corporate Training Budget (\$134,355)

Officer's Comment

Council should be encouraged with the Premier's view that Council should visit the City of Darwin. Although Darwin is a capital city, it still has many of the same challenges and opportunities as many Pilbara towns. Darwin was a significant indigenous population (the Larrakia People), International Port Operation, hub for a significant mining industry (oil & gas), a diverse, multicultural and growing population and is obviously extremely remote from any other major centre. The actual geography of Darwin is also similar, with a port, historical CBD (similar to the West end) and satellite suburbs separated from Darwin proper by an airport.

Though the Premier mainly commented on the potential benefits of a similar “waterfront” development in Hedland, while visiting Darwin, Council could also investigate other developments, such as:

- Darwin Tax Free Zone;
- Darwin Port;
- Larrakia Nation Aboriginal Corporation;
- Developing outer suburbs and other developments

Given that the proposed tour is mainly to focus on development opportunities, it would be advantageous for Council to invite other agencies along, being the Pilbara Development Commission, LandCorp, Office of Premier and Cabinet, and the Urban Design Centre of WA. These agencies will be critical in any future developments with the Town of Port Hedland, and this trip could help secure their support in the future.

If a study tour is supported by Council, it is recommended that it occur before the monsoonal buildup and wet season (October to April). Therefore late August/early September seems the most appropriate time the tour to occur.

Attachments

Nil.

Officer’s Recommendation

That Council:

- i) authorise the Chief Executive Officer (or his delegate) to liaise with the State Premier’s Officer to arrange a three (3) day study tour of the City of Darwin (specifically the Darwin Waterfront Precinct) in September 2009; and
- ii) approves the following members and staff to attend this study tour:
 - a) Cr _____
 - b) Cr _____
 - c) Cr _____
 - d) Chief Executive Officer
 - e) Director, Regulatory and Community Services
 - f) Manager, Planning Services
- iii) invites representatives from the following organisation to also attend this study tour:
 - a) Office of the Premier and Cabinet
 - b) Pilbara Development Commission
 - c) Landcorp
 - d) Urban Design Centre of WA

and

- iv) receive a report, subsequent to the study tour, outlining the possible opportunities and synergies a similar development could achieve in the Town of Port Hedland.

Officer's Recommendation

That Council:

- i) authorise the Chief Executive Officer (or his delegate) to liaise with the State Premier's Officer to arrange a three (3) day study tour of the City of Darwin (specifically the Darwin Waterfront Precinct) in September 2009; and
- ii) approves the following members and staff to attend this study tour:
 - a) Cr _____
 - b) Cr _____
 - c) Cr _____
 - d) Chief Executive Officer
 - e) Director, Regulatory and Community Services
 - f) Manager, Planning Services
- iii) invites representatives from the following organisation to also attend this study tour:
 - a) Office of the Premier and Cabinet
 - b) Pilbara Development Commission
 - c) Landcorp
 - d) Urban Design Centre of WA

and

- iv) receive a report, subsequent to the study tour, outlining the possible opportunities and synergies a similar development could achieve in the Town of Port Hedland.

200910/020 Council Decision

Moved: Cr K A Howlett

Seconded: Cr J E Ford

That Standing Orders be suspended.

CARRIED 9/0

7:16 pm Mayor advised Standing Orders were suspended.

200910/021 Council Decision

Moved: Cr K A Howlett

Seconded: Cr A A Carter

That Standing Orders be resumed.

CARRIED 9/0

7:24 pm Mayor advised Standing Orders were resumed.

7:24 pm Councillor K A Howlett left the room.

7:27 pm Councillor K A Howlett re-entered the room and assumed her chair

200910/022 Council Decision

Moved: Cr J E Ford

Seconded: Cr A A Carter

That Council:

- i) authorise the Chief Executive Officer (or his delegate) to liaise with the State Premier's Officer to arrange a three (3) day study tour of the City of Darwin (specifically the Darwin Waterfront Precinct) in September 2009; and
 - ii) approves the following members and staff to attend this study tour:
 - a) **Cr J E Ford**
 - b) **Cr K A Howlett**
 - c) **Cr G J Daccache**
 - d) **Cr S J Coates**
 - e) **Cr S R Martin**
 - f) **Chief Executive Officer**
 - g) **Director, Regulatory and Community Services**
 - h) **Manager, Planning Services**
 - iii) invites representatives from the following organisations to also attend this study tour:
 - a) **Office of the Premier and Cabinet**
 - b) **Pilbara Development Commission**
 - c) **Landcorp**
 - d) **Urban Design Centre of WA**
- and
- iv) receive a report, subsequent to the study tour, outlining the possible opportunities and synergies a similar development could achieve in the Town of Port Hedland.

CARRIED 9/0

REASON: Council determined the following members and staff to attend the Darwin Study Tour:

- a) *Cr J E Ford*
- b) *Cr K A Howlett*
- c) *Cr G J Daccache*
- d) *Cr S J Coates*
- e) *Cr S R Martin*
- f) *Chief Executive Officer*
- g) *Director, Regulatory and Community Services*
- h) *Manager, Planning Services*

ITEM 12 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL

Nil

ITEM 13 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

13.1 Cr G D Bussell - Establishment of Uniform Policy

Moved: Cr G D Bussell

Seconded:

That Council resolve to establish a uniform policy that requires the ToPH logo to be displayed on all newly acquired uniforms.

Officer's Comment

History – Council's deletion of its Policy 3/006 Staff Uniforms in September 2006:

At its Ordinary Meeting held on 27 September 2006, Council considered a confidential item relating to the review of Council Policies relating to employee conditions. This review involved the deletion of various Council policies relating to staff, in accordance with Section 5.41 of the Local Government Act, which states (in part):

"5.41. Functions of CEO

The CEO's functions are to —

...(d) manage the day to day operations of the local government;

...(g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); ..."

Prior to presenting that report to Council, the Chief Executive Officer sought feedback on the recommended changes with the (staff) Consultative Committee that consisted of representatives from the Outdoor and Indoor Workforce.

The Chief Executive Officer also met with all outside employees at a group meeting to explain the content of the (staff) manual and to seek feedback regarding proposed changes.

There were two rounds of consultation with staff as the first proposed document was modified slightly. The feedback was considered and the necessary alterations were made.

Council considered deleting staff related policies from Council's Policy document in September 2006, and resolved as follows:

That:

- i) Council endorse the attached Code of Conduct and Policy Manual for Employees without modification;*
- ii) endorse the deletion all of the following Council policies:
...3/006 - Staff Uniforms..."*

Current – Provision of Uniform Identifying Local Government

It is considered the determination of the requirements of staff uniforms is an administration function of the Town. Currently, all staff uniforms are embroidered with either the Town of Port Hedland, or LGC (Local Government Corporate) clothing logo as required by local government authorities for identification and tax purposes.

LGC is a preferred supplier of the Western Australia Local Government Association.

All Council staff are provided a uniform, as a provision of the current Collective Agreement or individual contract, in accordance with Section 5.41 of the Local Government Act 1995, which states (in part):

“5.41. Functions of CEO

The CEO’s functions are to —

...(d) manage the day to day operations of the local government;

...(g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); ...”

All staff are provided with name badges, which also the Town's logo and the staff member's position. Those members of staff who interact regularly with the public are also provided with Town of Port Hedland business cards, which include the Town's logo, the staff member's position and contact details.

The recently endorsed Customer Service Charter also requires Customer Service staff to wear their name badges at all times.

200910/0... Council Decision**Moved:** Cr G D Bussell**Seconded:** Cr A A Carter

That Council resolve to establish a uniform policy that requires the Town of Port Hedland logo to be displayed on all newly acquired uniforms.

LOST 4/5

NOTE: Councillor A A Carter requested the votes be recorded.

Record of Vote:

| FOR | AGAINST |
|----------------|-------------------|
| Cr G D Bussell | Cr S R Martin |
| Cr S J Coates | Cr A A Carter |
| Cr A A Gear | Cr G J Daccache |
| Cr K A Howlett | Cr J E Ford |
| | Cr J M Gillingham |

200910/023 Council Decision

Moved: Cr A A Gear

Seconded: Cr G D Bussell

That the Meeting be closed to members of the public as prescribed in Section 5.23 (2) (d) of the Local Government Act 1995, to enable Council to consider the following Agenda Items:

- . 14.1.1 'Confidential Item: Munda Station Access Road';
and
- . 14.2.1 'Confidential Item: Minderoo Housing Proposal'.

CARRIED 9/0

NOTE: Section 5.23 (2) of the Local Government Act 1995 states:

“(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

...(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;

(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;

(e) a matter that if disclosed, would reveal —

(i) a trade secret;

(ii) information that has a commercial value to a person; or

(iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; ...

...(h) such other matters as may be prescribed.”

7:45 pm Mayor advised that the meeting is closed to the public. Members of public and media representative left the room.

ITEM 14 CONFIDENTIAL ITEMS**14.1 Infrastructure Development****14.1.1 *Confidential Item: Munda Station Access Road (File No.: 28/13/0002)***

200910/024 Council Decision/Officer's Recommendation

Moved: Cr A A Carter

Seconded: Cr K A Howlett

That:

- i) The status of Munda Station Access road (road number 238) is updated to 'private' on Council's road inventory;
- ii) A notice is placed in the North West Telegraph notifying the public of the change of road status and that access can be requested by contacting the Leasee or the station manager.

CARRIED 9/0

14.2 Governance**14.2.1 *Confidential Item: Minderoo Housing Proposal (File No.: ...)***

7:48 pm Councillor G J Daccache declared a financial interest in Agenda Item 14.2.1 as he owns over \$10,000 FMG shares. Councillor Daccache disclosed that as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he will consider this matter on its merits and vote accordingly.

Councillor Daccache left the room.

200910/025 Council Decision/Officer's Recommendation

Moved: Cr A A Gear

Seconded: Cr A A Carter

That Council:

- i) withdraw from any further negotiations regarding the proposal to purchase 10 properties at Pretty Pool with Minderoo Pty Ltd; and
- ii) encourages Minderoo Pty Ltd to continue to consider the greater Port Hedland community when considering how to allocate any proceeds from the disposal of the properties originally offered to the Town of Port Hedland.

CARRIED 8/0

200910/026 Council Decision

Moved: Cr A A Gear

Seconded: Cr A A Carter

That the meeting be opened to members of the public.

CARRIED 8/0

7:48 pm Members of the public and media were invited to re-enter the room.
NOTE: There was only one (1) member of Town's staff in attendance from the public. There were no members of the media in attendance.

7:48 pm Councillor Daccache re-entered the room and assumed his chair.

7:48 pm Mayor advised Councillor Daccache of Council's decision.

ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE

200910/027 Council Decision

Moved: Cr A A Gear

Seconded: Cr K A Howlett

That the following Applications for Leave of Absence:

- i) Councillor J E Ford from 10-15 August 2009, inclusive;
and
- ii) Councillor S J Coates from 9-12 August 2009, inclusive.

be approved.

CARRIED 9/0

NOTE: Mr Ken Donohue, Chief Executive Officer of the Broome Shire presented the Mayor two (2) books for Council's corporate library.

ITEM 16 CLOSURE

16.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday 26 August 2009, commencing at 5.30 pm.

16.2 Closure

There being no further business, the Chairman declared the meeting closed at 7:50 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 26 August 2009.

CONFIRMATION:

MAYOR

DATE